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National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Uruguay

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I. Methodology

1. This report was prepared in accordance with Human Rights Council resolution 16/21 by the National Mechanism for Preparation of Reports and Follow-up of Recommendations of Uruguay[1] ("the Mechanism") and follows up the voluntary mid-term report submitted in 2016.

2. The Mechanism organized information activities for civil society, at which the process of drafting the national report was presented in detail and civil society was asked for their inputs.

3. Subsequently, during the preparation of the report, the State held meetings with civil society and received many comments that were duly taken into account by the drafters, in line with recommendations 123.19 and 123.26.

4. Part 3 of this report includes a chapter on progress in implementing the Voluntary Pledges and Commitments made during the second cycle of the universal periodic review.

II. Progress in implementing recommendations

A. International law and international standards (recommendations 123.1, 123.2, 123.3, 123.4, 123.5, 123.6, 123.7, 123.8)

5. Article 72 of the Uruguayan Constitution provides that "The enumeration of rights, duties, and guarantees made in this Constitution does not exclude others that are inherent to human beings or derived from a republican form of government". In this regard, Uruguay has taken on all the international obligations in the area of human rights binding on the country as the general framework and reference for the adoption of public policies, national legislation and judicial decisions. In short, the rights enshrined in the various international instruments can be invoked before national courts and directly applied as the basis of judicial decisions.

6. During the period under review, Uruguay continued to accede to and ratify universal and inter-American instruments on the promotion and protection of human rights.

(a) Universal instruments:

- The Treaty on the Prohibition of Nuclear Weapons (July 2018).
- International Labour Organization (ILO) Convention 171 (December 2017).
- Optional protocol to the Convention on the Rights of the Child on a communications procedure (February 2015).
- Arms Trade Treaty (September 2014).

(b) Inter-American instruments:

- Inter-American Convention Against All Forms of Discrimination and Intolerance (May 2018).
- Inter-American Convention Against Racism, Racial Discrimination and Related Forms of Intolerance (December 2017).
- Inter-American Convention on Protecting the Human Rights of Older Persons (November 2016).

7. Regarding ILO Convention 169, inter-institutional consultations were held to consider its possible ratification and examine its conditions of applicability. As it is an ILO instrument, the National Tripartite Committee, composed of the Government, and employers' and workers' organizations, had to be consulted. When the Convention was submitted, the Committee considered its possible ratification and agreed, in a tripartite manner, not to proceed.

B. National Human Rights Institution and Ombudsman's Office and National Preventive Mechanism against Torture (recommendations 123.10, 123.11, 123.12, 123.13, 123.14, 123.15, 123.16, 123.17, 123.18)

National Human Rights Institution and Ombudsman's Office

8. The National Human Rights Institution and Ombudsman's Office obtained its 'A' status accreditation in May 2016, demonstrating that it complies fully with the Paris Principles.[2]

9. Regarding strengthening the National Human Rights Institution and Ombudsman's Office, Parliament approved the budget of the Institution for the period 2015–2019 by Senate resolution of 22 December 2015. This budget meets all the human and financial resources needs included in the project that the Board of Directors of the Institution sent to the President of the General Assembly.

10. The National Human Rights Institution and Ombudsman's Office includes the Mechanism and therefore participates as an observer in the process of preparing national reports to treaty monitoring bodies, but nonetheless maintains its independence and autonomy to prepare and submit alternative reports.

National preventive mechanism against torture

11. The preventive mechanism against torture operates under the aegis of the National Human Rights Institution. In 2013, it began to monitor places of detention through an interdisciplinary team. The Mechanism operates independently of public authorities and is impartial.

12. The technical team of the Preventive Mechanism against Torture is composed of five technical posts and one administrative post that are budgeted for, two professionals on secondment and one post with a fixed-term contract. It receives occasional support from UNICEF for consultants. Two additional specialist positions are currently being advertised.

C. Women's rights (recommendations 123.27, 123.28, 123.29, 123.42, 123.43, 123.45, 123.154, 123.155, 123.156, 123.160, 123.99)

Strengthening the National Women's Institute

13. The National Women's Institute, which works under the aegis of the Ministry of Social Development, has its own budget and human resources, but does not have autonomous executive capacity. It presides over three inter-institutional statutory bodies with responsibility for public policy on gender equality and gender-based violence: the National Gender Council, the Consultative Council for a Life Free from Gender-Based Violence and the National Council to Prevent and Combat Trafficking in and Exploitation of Persons.

Discrimination against women in the Criminal Code and the Civil Code

14. Although no progress has been made regarding comprehensive reform of the Criminal Code, it has been reformed through legislation that has introduced specific amendments in several areas: Act No. 19.538 of October 2017 criminalizes acts of discrimination; Act No. 19.580[3] of December 2017 on gender-based violence against women includes a set of criminal law articles updating the subject of sex crimes and allows the judicial authority to exempt from the penalty for murder a woman who is a victim of especially serious domestic violence and has killed her partner or former partner; and Act No. 19.643 of July 2018 on preventing and combating trafficking in persons.

15. Regarding the Civil Code, Act No. 19.075 of 3 April 2013 on equal marriage rights amends the institution of marriage to eliminate any possible discrimination on grounds of sexual orientation or gender identity.

Rural women

16. Changes have been made in the central policies of the Ministry of Livestock, Agriculture and Fisheries, including gender mainstreaming in its policies. To this end, studies and research on rural development and public policies were carried out in order to generate informed guidelines on how to incorporate the gender perspective in policies on family farming. In this regard, they were amended through weighting and quotas to promote the inclusion of women, and changes were made in the Family Production Registry to include women as co-owners with the same right to submit projects.

Political and public participation

17. On 20 October 2017, Parliament approved Act 19.555, under which the equitable participation of persons of both sexes in national and departmental elected bodies and the leadership of political parties is stated to be in the public interest. Act 18.476 of 2009 is thus amended, since now one in every three places in lists for elected positions is allocated to women in all internal elections and in first and second level national, departmental and municipal elections.

18. Aspiration IV of the National Gender Equality Strategy 2030 lays down the challenge of achieving "Real and effective participation of women in decision-making in all areas ...", and includes 11 strategic lines aimed at doing so.

D. Combating gender-based violence and domestic violence (recommendations 123.89, 123.90, 123.91, 123.92, 123.93, 123.94, 123.95, 123.96, 123.97, 123.98, 123.99, 123.100, 123.101, 123.102, 123.103, 123.104, 123.105, 123.106, 123.107, 123.157)

19. In November 2015, the Action Plan for a Life Free of Gender-based Violence, with a Generational Perspective, 2016–2019,[4] was approved under Executive Decree 306/015. The purpose of this Plan is to implement a national public policy for the prevention, reduction and redress of gender-based violence in its various tangible manifestations. It brings with it profound advances, among which can be highlighted a comprehensive vision of gender-based violence and an interdisciplinary and intersectoral approach. It also fully defines the Inter-Institutional Response System, including, at the national level, promotion and prevention, the network of assistance services, access to justice, monitoring and redress of victims, in addition to the resocialization of aggressors, with the commitment of all the member bodies of the Consultative Council to a life free of gender-based violence against women.

20. Although the Network of Services for a Life Free of Gender-Based Violence has grown in the last three years and has therefore made progress, it is still insufficient. This system is made up of different care mechanisms and covers all women over the age of 18, including older women, who are in Uruguayan territory, including women of African descent, women with disabilities, migrant women, refugees and asylum seekers. Care services have increased from 18 to 31; to the 18 territorial cooperation mechanisms, a new territorial team has been added in Montevideo; care teams for male aggressors have risen from three to 12. The care service for women victims of trafficking for the purpose of sexual exploitation, the short-stay shelter for women whose lives are at risk from domestic violence and the temporary housing alternatives programme in conjunction with the Ministry of Housing, Regional Planning and Environment continue and have been strengthened. During this period, the following were added: one half-way house, one temporary stay centre and one entry portal to 24-hour centres; training for employment and integration in the labour market has also taken place in conjunction with the National Employment and Vocational Training Institute.

21. In 2017, in the framework of the Action Plan, amendment of articles 311 and 312 of the Criminal Code was approved under Act No. 19.538 to classify femicide as a very particular aggravating circumstance of murder, considering it to be committed "against a woman for reasons of hatred, disdain or contempt for her condition".

22. In 2018, Act No. 19.580 on gender-based violence against women was approved. The purpose of this Act is to guarantee to all women the right to a life free of gender-based violence, regardless of age, sexual orientation or gender identity (including trans women), socioeconomic situation, territorial affiliation, beliefs, cultural and ethnic-racial origin, or disability. For this purpose it puts in place mechanisms, measures and integrated policies for prevention, care, protection, punishment and redress.

23. It recognizes different types of violence: physical, psychological or emotional, sexual (considering sexual violence to include the involvement of children and adolescents in sexual activities with an adult or with any other person who is in an advantageous situation in relation to them, either because of their age, greater physical or mental development, relation of kinship, affection or trust, or position of authority or power, including sexual abuse, sexual exploitation and the use of pornography), based on prejudice against sexual orientation, gender identity or gender, economic, pecuniary, symbolic, obstetric or employment expression, in the field of education, politics, the media, femicide, street sexual harassment, domestic, community, institutional and racial-ethnic harassment.

24. It contains seven chapters that address the inter-institutional response system and the guidelines for public policy. It also establishes the network of care services, protection, investigation and prosecution processes, and administrative and judicial procedures. It established the Observatory on Gender-Based Violence against Women to monitor, collect, produce, register and permanently systematize data and information on violence against women.

25. Moreover, the approval of the new Code of Criminal Procedure (Act No. 19.293 of 2014) made the Attorney-General's Office responsible for the care and protection of victims and witnesses, while with the new legal status of the Public Prosecution Service established under Act 19.334, the Victims and Witnesses Unit was set up in February 2016.[5]

26. Similarly, the Coordinating Office for policies on victims and witnesses of crime was set up under Decree No. 46/018 of 5 March 2018 to coordinate political actions aimed at the protection and care of victims and witnesses.[6]

27. The New Code of Criminal Procedure came into force on 1 November 2017 (Act 19.436). Under article 6, which amends Act 19.293, redress agreements are excluded in offences against sexual freedom. In addition, Act 19.549 adds article 382.7 to the Code of Criminal Procedure prohibiting extra-procedural mediation in crimes of sexual violence (articles 272, 273 and 274 of the Criminal Code) and sexual exploitation (Act 17815) and the offence of domestic violence (Article 321bis of the Criminal Code), and with respect to other types of offence that have been committed as a way of exercising gender-based violence.

28. The Attorney-General has created two specialized prosecution offices in Montevideo for sexual offences, domestic violence and gender-based violence. The new Organic Act on the Attorney-General's Office (Act No. 19.483 of January 2017) allows general instructions to be issued to ensure that gender-based violence offences are given priority and properly investigated and prosecuted and that victims are well treated.

29. The Montevideo city council has a national, free, confidential and anonymous telephone service providing guidance and support to women victims of domestic violence.

30. Regarding violence against children and adolescents, in the framework of the Action Plan for a life free of gender-based violence with a generational perspective, a support plan has been drawn up with UNICEF containing four strategic areas: care and protection, promotion of rights and prevention, knowledge generation, training and institutional capacity-building.

31. The Institute for Children and Adolescents has five shelters where women victims of violence are taken in with their children, and measures to protect and strengthen them are being developed. Progress is also being made in extending projects for specialized care of victims of gender-based violence to children and adolescents throughout the country.

32. Since 2013, the Ministry of Interior has had a system for identifying the presence and location of people at high risk of domestic violence. It supervises injunctions prohibiting aggressors from approaching victims in domestic violence cases and the fulfilment of alternative measures to preventive detention, and follows up prosecutions that have resulted in imprisonment when the offender is released.

33. The Ministry of Interior also has an assistance programme for victims and offenders in gender-based violence cases specifically for police personnel, which reports to the National Directorate of Social Affairs and has a protocol for action against domestic violence (Decree 111/2015).

E. Gender equality (recommendations 123.44, 123.47, 123.59, 123.60, 123.61, 123.63, 123.65, 123.66, 123.68, 123.69, 123.70, 123.158, 123.159)

Gender equality

34. The National Gender Council is the institutional political body that sets priorities and commitments on gender equality policies and is composed of senior officials of ministries and the main public bodies, and representatives of academia, companies, the trade union movement and the women's movement and feminists.

35. In March 2018, the Council presented the National Gender Equality Strategy 2030, a comprehensive, integrated road map to guide State action on gender equality in the medium term and consider the challenges in the various problem areas on which the State must act through implementation of measures by the executive, legislative and judicial branches.[7]

36. In November 2015, Act 19.353 was approved. It established the National Integrated Care System, which promotes the implementation of public policies designed to meet the needs of persons aged over 65 who lack the autonomy to carry out the activities of everyday life, children of up to 12 years of age, persons with disabilities who lack the autonomy to carry out the activities of everyday life, and those who provide care services (Decree 427/016). It also seeks to improve the lives of dependent persons through comprehensive care benefits, to view the care of persons who do not enjoy autonomy as a responsibility of the whole society, and to reconcile working life with growing families.

37. Through Protected Youth Work, the Youth Employment Act encourages the hiring of women through a differential subsidy granted to companies that employ women for periods ranging from 12 to 18 months. It promotes the elimination of any form of violence at work through information, awareness and training activities on prevention and punishment of sexual harassment at work for Youth Employment Act officials. Similarly, it works in companies to raise awareness about harassment and provide training on the law.

38. The Ministry of Employment and Social Security provides training on collective bargaining with a gender perspective and good practices of shared responsibility for negotiators from the private, public and governmental sectors. It draws on good practices from previous experiences through the Tripartite Commission for Equal Treatment and Opportunities in Employment.

39. Since 2012, the State Health Services Administration has run two courses a year on health and sexual diversity for students and graduates in health-related disciplines. These courses have sought to expand the knowledge of students, professionals and technicians on the health needs and problems accessing services of lesbian, gay, bisexual, transgender and intersex people (LGBTI).

40. The Quality with Gender Equity Model works as a tool for organizational change towards gender equality. It is framed as a public policy for gender equality in the workplace and was carried out by the National Women's Institute from 2008. It was evaluated and a new 2016 version incorporates the racial-ethnic dimension of African descent at all levels of implementation.

41. The Gender Network of the National Public Education Administration promotes gender equality throughout the national education system in its teaching, organizational, human resources and financial aspects to reduce the multiple inequities that impede full

personal development. It was set up in 2009 and is coordinated by the Human Rights Directorate of the Central Board of Directors.

Minimum age of marriage

42. Act No. 19.075 (annex) increased the minimum age of marriage from 12 and 14 years to 16 years for both women and men. As this report was being concluded, a bill amending article 91 of the Civil Code by raising the minimum age of marriage to 18 years regardless of gender was under study by the Senate Constitution and Legislation Committee.[8]

F. Rights of children and adolescents (recommendations 123.30, 123.31, 123.32, 123.33, 123.34, 123.35, 123.37, 123.64, 123.108, 123.109, 123.110, 123.111, 123.112, 123.113, 123.114, 123.115, 123.116, 123.146, 123.147, 123.148, 123.149, 123.150)

Monitoring mechanism

43. Based on the readjustment that was consolidated in 2016, the Institute for Children and Adolescents of Uruguay has been organized into five different programmes, three by age group (early childhood, childhood and adolescence) and two by care profile (the families and parental care programme and the specialized interventions programme).

National Strategy for Children and Adolescents

44. In 2015, continuing the process started with the National Strategy for Children and Adolescents, the Early Childhood, Childhood and Adolescence Commission of the National Social Policy Council was set up. The Commission promoted and organized the process of drawing up the National Plan for Early Childhood, Childhood and Adolescence 2016–2020, in which government agencies, civil society and children and adolescents took part. It is structured around six strategic themes in the framework of the main National Strategy policy orientations, which outline objectives, goals and activities for its implementation.

Family support policies

45. We work directly with families to provide comprehensive care, in terms of both support and follow-up. The specific mechanisms that stand out are the Family Project Fund specifically for families cared for in street projects, and the Territorial Family Care Teams. In addition, financial support is provided on the basis of a family plan.

46. Act No. 18.227 of December 2007, which amended the family allowances system, grants a monthly cash benefit to socioeconomically vulnerable families. Beneficiaries, except those with disabilities, must be registered at and regularly attend public or private formal or non-formal education establishments.

Elimination of child labour

47. The mission of the inter-institutional Committee for the Elimination of Child Labour is to contribute to the public policy of eliminating child labour and hazardous adolescent labour within the framework of the Social Protection Matrix.

48. In the framework of the project "Support for public policy aimed at eliminating child labour and hazardous adolescent work", training was given to public officials and social stakeholders with responsibility in the field of child and adolescent labour.[9]

Street children

49. The socioeconomic support department of the Institute for Children and Adolescents established by Decree 370/85 implements a social policy aimed at granting economic aid to vulnerable persons and works with or in coordination with Institute teams.

50. Uruguay has been approved as a pioneer country for carrying out the recommendations of General Comment No. 21 on street children, prepared by the

Committee on the Rights of the Child. When this report was concluded, the Institute for Children and Adolescents was in the process of drafting the National Plan for the Care of Street Children and Adolescents, which is based on the intersectoral nature of the violated rights and developing responses based on shared intersectoral responsibly.

Children of African descent

51. The programme activities of the National Human Rights Education Plan published in 2017 include promoting training agencies to update teachers, educators and technical staff on matters related to African descent.[10]

Universal right to education

52. The Sectoral Educational Integration Directorate of the National Public Education Administration carries out the following lines of action to guarantee the right to education of all persons living in Uruguayan territory: inclusion in the education system of those of compulsory middle-school age; protection of educational paths, contributing to the sustained increase of students graduating from each educational cycle and extending years of schooling.[11]

Sexual abuse and exploitation

53. In 2004, Act 17.815 was approved establishing the offences of trafficking, sexual exploitation, payment or promise of payment to minors under 18 years of age in return for performing sexual acts, and the production, trade in and dissemination of child pornography.

54. In the framework of the comprehensive Act to combat trafficking in and exploitation of persons (No. 19.653 of July 2018), children and adolescents enjoy all the rights recognized in this Act and in particular the right of victims to access to justice.

Juvenile criminal justice system

55. The National Adolescent Social Inclusion Institute is the decentralized service responsible for carrying out the custodial and non-custodial socio-educational measures provided for in the Childhood and Adolescence Code. The Institute has devised a continuing training plan for all officers in the juvenile justice system.

56. The closure of centres with buildings in the worst condition began in 2015. Conditions of detention have been improved and it is planned to build an "educational campus" that will reduce the number of buildings that do not comply with the architectural design for socio-educational measures in custody by the end of 2019.

57. In accordance with the principle that deprivation of liberty should be the last resort, a new model for non-custodial measures has been established with the support of UNICEF and the collaboration of judges, prosecutors and public defenders, the National Adolescent Social Inclusion Institute, the Institute for Children and Adolescents, and the civil society organizations under an agreement. Similarly, the Treatment Boards set up in 2015 are the bodies in charge of promoting alternatives to custodial measures before the corresponding courts.

58. "Suspension of bringing a case to trial" and "supervision of house arrest" have been introduced. Agreements have been entered into with public and private bodies extending quotas for obtaining educational and work places, giving priority to the educational process that should take place between the ages of 13 and 17. Coordination with the various services of the Ministry of Social Development and with the National Institute of Youth and the Institute for Children and Adolescents has made it possible to assist the release of adolescents, creating a bridge that allows them to continue to deal with various vulnerabilities relating to social and community integration.

59. Uruguay has a system of appeal or second instance for juvenile criminal justice proceedings.

60. In October 2014, a referendum was held on lowering the age of criminal responsibility from 18 to 16 years, but the option of lowering the age did not receive enough votes for approval, so the minimum age of criminal responsibility remains 18 years.

Registration of births

61. The registration of births is based on the Electronic Live Birth Certification issued by the Ministry of Health, which is currently almost 100 per cent in place. Regarding registration on the Civil Registry, under-registration stands at around 2 per cent because parents do not attend to register births or when medical institutions do not report births that have taken place in them. Those births that are not registered within the legal deadline (10 business days) are registered through the late registration mechanism for which there is never any charge.

G. Combating racism and discrimination (recommendations 123.21, 123.22, 123.23, 123.24, 123.25, 123.38, 123.39, 123.41, 123.46, 123.48, 123.49, 123.50, 123.51, 123.52, 123.53, 123.54, 123.55, 123.56, 123.57, 123.58, 123.62, 123.67, 123.139)

62. When this report was completed, a National Plan on Racial Equality and African Descent was in preparation with the objective of reducing differences in opportunities for persons of different races, working especially on education, health, employment and housing. It will be submitted on 3 December 2018.

Honorary Commission against Racism, Xenophobia and All Forms of Discrimination

63. The specific powers of the Honorary Commission against Racism, Xenophobia and All Forms of Discrimination[12] are: to analyse the national situation in this regard, monitor its compliance and propose to the executive the establishment of specific legal provisions or the amendment of existing ones; and to receive and centralize information on racist, xenophobic and discriminatory behaviour, keep track of it and lodge the corresponding complaints.

64. This mechanism has been strengthened through the incorporation of human, technical and administrative resources.

65. Notable is the signing on 31 July 2018 of a protocol with the National Human Rights Institution establishing criteria and procedures for action to be followed in the event of complaints or petitions referring to cases of racism, xenophobia and all forms of discrimination and on how the signatory institutions are to act upon them and interact with each other.

Criminalization of the dissemination of theories on the superiority or inferiority of a race

66. Act No. 17.677 of July 2003 amended the Criminal Code by criminalizing incitement to hatred, contempt or violence towards one or more persons because of the colour of their skin, their race, religion, national or ethnic origin, sexual orientation or sexual identity. Act No. 18.026 of September 2006 criminalizes public incitement to commit genocide, conspiracy to commit genocide, crimes against humanity or war, and the justification of past events.

Women of African descent

67. The Women of African Descent Department of the National Women's Institute has promoted the leadership of African Uruguayan women through specific processes to strengthen their organizations in ongoing dialogue with them. It is currently in the process of identifying productive enterprises of women of African descent in order to promote linkages with socioeconomic policies to support entrepreneurship and the social economy and generate networks of exchanges, and to improve their access to training and develop markets.

Affirmative action for persons of African descent

68. Act No. 19.122 requires 8 per cent of posts in public bodies to be allocated to persons of African descent who fulfil the constitutional and legal requirements, subject to advertisement. The impact of this Act has been mixed since, while the target for scholarships has been greatly exceeded, the employment quota stipulated for public sector posts has not yet been reached. According to data of the National Scholarship Office of the Ministry of Education and Culture, since 2011 the number of educational scholarships awarded to students of African descent has increased (from 1.39 per cent in 2011 to 19.02 per cent in 2016). In university education, 13 per cent of scholarship recipients describe themselves as being of African descent.

69. The reports of the National Civil Service Office show that the employment quota stipulated by the Act has not yet been reached. In 2014, when the Act was not yet in force, 1.1 per cent of those taking up a post in the public sector were of African descent.[13] According to the 2015 report, fulfilment of the quota had grown by 143.5 per cent, the percentage of people of African descent entering State employment reaching 2.71 per cent.[14] In 2016, 1.78 per cent of public posts were filled by persons of African descent, while in 2017 the percentage increased to 2.06 per cent.

70. In 2017, the National Employment and Vocational Training Institute began training technical officers through the workshops "First Evaluation of Racial Inequalities in Uruguay: A quantitative and qualitative approach to ethnic-racial perceptions for the implementation of Act 19.122". As a result of the technical exchanges, it was agreed that in 2018 100 per cent of officials would receive training in ethnic-racial mainstreaming in services and this is now taking place.

Discrimination on grounds of sexual orientation and gender identity

71. There continue to be quotas for trans persons in various State programmes.

72. The training provided to police personnel to improve the response to gender-based violence includes the human rights, gender, generational and diversity perspectives. In this regard, the Ministry of Interior has, since August 2016, had a diversity guide "Why a gender and sexual diversity approach in security policies?", a practical guide for police training.

73. On 3 September 2018, the Sexual Diversity Council presented the first National Sexual Diversity Plan 2018–2020 as a medium- and long-term road map to strengthening the process of recognizing the rights of this community.

74. The general principle of the Plan promotes full citizenship of LGBTI persons, guaranteeing equal enjoyment of rights and opportunities and their social, political, employment, economic and cultural participation and inclusion free of any form of stigma, discrimination or violence.

75. The educational centres of the Technical Vocational Education Council are implementing affirmative action for persons of African descent and trans persons, with, for example, student administration offices, scholarship quotas and other specific assistance measures.

H. Trafficking in persons (recommendations 123.117, 123.118, 123.119, 123.120, 123.121, 123.122, 123.123, 123.124, 123.125, 123.126, 123.127, 123.128, 123.129, 123.130, 123.131, 123.132, 123.133, 123.137, 123.142, 123.145)

76. Uruguay has intensified measures to combat trafficking in persons, paying particular attention to women, children and adolescents.

77. Executive Decree 304/015 established the Inter-institutional Committee to Prevent and Combat Trafficking in Persons, a mechanism that reached agreement on the National Plan to Combat Trafficking in and Exploitation of Persons in July 2018.[15]

78. On 12 July 2018, the Uruguayan Parliament approved Act 19.643 on preventing and combatting trafficking in and exploitation of persons. The Act: (i) lays down guidelines for public policies, empowering State institutions within their jurisdiction to intervene, and adopt and implement programmes, actions, protocols, registers and investigations for the eradication of human trafficking and exploitation; (ii) establishes comprehensive redress, including compensation, restitution and rehabilitation of victims; (iii) establishes as the lead body in this area the National Council to Prevent and Combat Trafficking in and Exploitation of Persons, composed of public institutions with direct powers and social organizations with a long history of working in this field; and (iv) establishes the National Complaints System for Trafficking in and Exploitation of Persons, which centralizes information and facilitates reporting and passage through the justice system, while seeking to generate adequate policies to combat and prevent crime.

79. The National Committee for the Eradication of Commercial and Non-Commercial Sexual Exploitation of Childhood and Adolescence is currently carrying out its second Plan of Action, "100 actions against the commercial exploitation of children and adolescents, 2016–2021". This national plan seeks to implement all actions based on a human rights approach, which includes all territorial characteristics and the age, gender, diversity, disability and ethnic-racial perspective.

80. In the framework of the Institute for Children and Adolescents, the project "Travesía" is being implemented for children and adolescents who are victims of trafficking and commercial sexual exploitation. The Institute aims to expand the coverage of its care during the period 2015–2020.

Training and awareness-raising

81. Different campaigns have been conducted to improve the public's knowledge of this subject, including: the Responsible Tourism campaign; the regional campaign MERCOSUR Free from Trafficking in Persons; the Stop Collaborating campaign; the Welcome to Uruguay: Country of Good Treatment project; the By the Right Hand initiative; and the advertising campaign No Excuses.[16]

82. The Ministry of Foreign Affairs Assistance to Compatriots and Community Services Office intervenes in situations of international trafficking, assisting victims in cooperation with Uruguayan consulates abroad, providing repatriation to the country of origin if the victim so requests and referring victims to the competent care services at the national level.

83. The Ministry of Interior, through the General Directorate for Combatting Organized Crime and for INTERPOL and the Gender Policies Division, have held joint training sessions on the detection and investigation of human trafficking and exploitation. A module has been included in courses for officer promotion and low-ranking police officers.

84. With the support of the International Organization for Migration, specific training is given to staff of the National Migration Directorate on the detection of possible victims of trafficking in persons at the border, within the framework of the MERCOSUR Guide to Detection at Border Posts. Staff in charge of cases have been trained from the human rights, gender, generational and diversity perspectives.

85. In compliance with Decree 398/013, which is binding on all tourism service providers, the Ministry of Tourism has made all tourism sector officials and students aware of actions to prevent sexual exploitation in travel and tourism.

86. During 2017 and 2018, awareness-raising activities were conducted under the slogan #ElTurismoCreceyProtege. During the period 2016–2018, the Ministry of Tourism held the Executive Secretariat of the Regional Action Group of the Americas, which brings together 14 ministries, institutes and tourism secretariats in the region for #TourismFreeOfExploitation.

I. Reform of the criminal justice system and administration of justice (recommendations 123.9, 123.134, 123.135, 123.136, 123.138, 123.141, 123.144)

Reform of the Criminal Code

87. Article 22 of Act No. 17.897 of 14 September 2005 set up a Criminal Code Reform Commission that drafted a bill that was submitted to Parliament in 2010. After four years of study, the Chamber of Deputies Constitution, Codes, General Legislation and Administration Commission drafted a substitute bill that is under study.[17]

Reform of the Code of Criminal Procedure

88. On 1 November 2017, the new Code of Criminal Procedure, which changed criminal proceedings from an inquisitorial to an adversarial, oral and public system, entered into force. The change empowers the Public Prosecution Service to direct investigations. It also provides guarantees, care and protection to victims of crime.

Alternatives to prison

89. Act 19.446 of October 2016 regulating release pending trial, conditional release, early release and alternatives to prison, provides that alternatives to custodial sentences shall be supervised release and intensive supervised release, both supervised by the judge for the execution and administration of sentences.

90. Regarding juvenile criminal justice, article 89 of the Childhood and Adolescence Code states: "the custodial system consists of confining the adolescent in an establishment that ensures that he/she remains on the premises, without prejudice to the rights enshrined in this Code, constitutional and legal norms and international instruments". Article 80 makes provision for nine non-custodial measures (from warning to assisted release under supervision), in addition to supplementary measures with the support of specialists for educational purposes.[18]

Security of LGBTI persons and access to justice

91. In October 2018, Parliament approved the comprehensive Act on trans persons. Its purpose is to ensure the right of trans persons of all ages, of various sexual orientations, socioeconomic conditions, territorial affiliations, national origins, beliefs, cultural and ethnic-racial origins and conditions of disability to a life free of discrimination and stigmatization. To this end, integrated prevention, care, protection, promotion and redress mechanisms, measures and policies are established.

J. Persons deprived of their liberty and prison management (recommendations 123.72, 123.73, 123.74, 123.75, 123.76, 123.77, 123.78, 123.79, 123.80, 123.81, 123.82, 123.83, 123.84, 123.85, 123.86, 123.87, 123.88, 123.140)

92. Since 2010, the action taken regarding prisons has had three different and complementary aspects: (i) ending the serious overcrowding, constructing new buildings and new places where they already existed; (ii) establishing a tier system in prisons based on a classification of prisons and of persons deprived of liberty; and (iii) expanding the concepts of rights and obligations of persons deprived of liberty, adding the concept of benefits gained or lost according to behaviour.

93. Various measures have been adopted to improve infrastructure and extend accommodation capacity. New facilities have been built for mother and child units and new modules are under construction, while others are being refurbished.

94. Although today we can say that overcrowding has generally been overcome, work continues in specific places where it still exists.

95. Regarding the work of Persons Deprived of Liberty in Detention Facilities, the Agricultural Centre in Canelones was established in 2015. There, a group of prisoners works under a system of minimum security. Their work focuses mainly on the production of vegetables that are used daily to feeding prisoners and prison staff in various prisons. To this is added milk production and animal husbandry in some units.

96. Regarding involvement in education, in March 2018, 46 per cent of prisoners were studying. Of those, 32 per cent were in formal education and 14 per cent in non-formal education.

97. The Parliamentary Prisons Commission (Act 17.684), which is appointed by Parliament and acts with complete independence, conducts 60 visits a month to prisons, and submits an annual report to the legislature with recommendations and special reports on emergency situations. It is in constant dialogue with prison and governmental authorities and makes recommendations. It may also raise concerns with the courts (complaints, remedy of *amparo* and habeas corpus).

98. The Office of the Parliamentary Commission has also held work days with the aim of making a contribution to how a detention centre should be for women with children in their care or who give birth during their imprisonment.

K. Memory, truth and justice (Recommendations 123.71, 123.143)

99. The current situation regarding the treatment of serious and systematic violations of human rights during the period 1968–1985 from the perspective of the right to truth, justice, redress and guarantees of non-recurrence is complex.

100. Public policy on truth, justice, redress and guarantees of non-recurrence shows progress in its formulation, but problems in implementation.

101. Progress includes the establishment of the Working Group on Truth and Justice under Executive Decree 131/2015. Despite the complexity of its institutional model, this body has had the financial, material and human resources to perform its tasks directly or through agreements.

102. The Working Group has technical support teams of archivists, historians and archaeologists and this has allowed excavations in military properties ordered by the courts to continue and be completed, where appropriate. Similarly, despite some difficulties, access to the documentary collections of the law enforcement agencies has been obtained, which in the framework of an ambitious digitalization plan will allow more systematic research.

103. Under Act No. 19.550, the Attorney General's Office is authorized to transform a national prosecution office into a Special Prosecutor's Office for Crimes against Humanity. In this connection, under Resolution No. 075/2018[18] of February 2018, the 25th Criminal Prosecution Office of Montevideo has become a Special Prosecutor's Office for Crimes against Humanity and a prosecution team responsible for prosecutions has been put in place. It requires a committed enquiry through a serious and specialized investigation that manages to punish those responsible and give victims redress so as to achieve justice and truth as a contribution to the reconstruction of society, and the establishment of institutional mechanisms that ensure the non-recurrence of such acts.

104. In April 2018, this Special Prosecution Office reopened the case of the sexual abuse and torture of 28 women committed between 1972 and 1983. In the context of this case, the prosecutor has summoned soldiers and doctors to give evidence as accused persons. The case was brought in 2011 by 28 women who were former political prisoners.

105. Act 19.355 of December 2015, established "a specialized team for serious human rights violations" in the Ministry of Interior internal affairs directorate. The team works directly with judicial officers and the Office of the Attorney-General to work on requested proceedings and investigations relating to forced disappearances.

106. In terms of redress, the commissions established by Act No. 18.033 and Act No. 18.596 have operated, notwithstanding the fact that the system does not guarantee complete redress *in totum* to victims.

107. In March 2018, the Uruguayan State associated itself with the prosecution in the Operation Condor trial taking place in Rome, Italy. This effort by Uruguay is unprecedented in terms of the support and coordination required in a case of this kind.

108. Furthermore, the Uruguayan State continues to strive to comply with the ruling of the Inter-American Court of Human Rights in the Gelman v. Uruguay case.

L. Right to vote (recommendations 123.151, 123.152, 123.153)

109. On 17 August 2018, Parliament approved Act 19.654, which provides for the establishment of a commission that will evaluate possible approval of the right to vote for Uruguayans residing abroad. This Commission, which will be chaired and coordinated by the National Human Rights Institution and Ombudsman's Office, brings together representatives of all the political parties represented in Parliament, the Electoral Court, the Foreign Ministry, the Advisory Councils and the Advisory Council on Migration in order to enable the best legal solution to this restriction of the fundamental rights of citizens who live abroad.

M. Promotion and defence of economic, social and cultural rights (recommendations 123.161, 123.162, 123.163, 123.164, 123.165, 123.166, 123.167, 123.168, 123.169, 123.170, 123.171, 123.172, 123.173, 123.174, 123.175, 123.176, 123.177, 123.178, 123.179, 123.180, 123.181, 123.182, 123.183, 123.184)

Indicators of progress of economic, social and cultural rights

110. Progress has been made in developing a system of economic, social and cultural rights indicators in order to evaluate and take decisions on housing, employment and social security policy. The human rights approach will be applied to existing information-generating processes in order to contribute to their rationalization and unification in a single system.

Poverty reduction

111. In 2017, the poverty rate in Uruguay fell to 7.9 per cent, while extreme poverty fell to 0.1 per cent and inequality to 0.38 per cent.

112. Part of the decline in poverty can be attributed to the increase in wage income and other household income, which in many cases exceeded price increases. People living in households of lower socioeconomic status experienced an improved level of employment, and in some cases a lower level of unemployment, which supports the hypothesis that there has been a movement in the labour market that has improved the conditions of access to income of such households.[20]

Access to decent housing

113. Since 2005, the Housing and Habitat Policy has been consolidated in a public State policy, with growing civil society involvement. The main thrust of the Five-Year Plan 2005–2009 was evaluation of housing policy and identification of the changes needed. A credit repayment subsidy was implemented as a central element of application of the principle of social equity.

114. The 2010–2014 plan managed a variety of programmes to increase and improve the housing stock. The objective was to respond to housing needs, prioritizing vulnerable groups without discrimination of any kind. The main thrust of the 2015–2019 plan is the policy on land for housing purposes through the National Strategy for Access to Urban Land.

115. Improving poor urban housing has gone through all the aforementioned phases, through the Neighbourhood Improvement Programme and the National Relocation Plan.

Access to health

116. Strategic national health objectives have been defined for 2020. These aim to advance towards achieving tangible and measurable results within the framework of a perspective of rights, gender and the generations of our population.[21] These objectives are: (i) to foster healthy lifestyles and environments and reduce risk factors;[22] (ii) to reduce the premature and avoidable burden of morbidity and disability, and to improve access and health care throughout life; (iii) to build a safe, high quality institutional health care culture; and (iv) to move towards a care system focused on the health needs of individuals and communities.[23]

Education (school dropout)

117. Public resources invested in education have grown significantly, from 3.2 per cent of GDP in 2005 to 5 per cent in 2017. The expenditure of the National Public Education Administration increased two and a half times in real terms during the period under consideration, going mainly towards improving the salaries of teachers and other staff.

118. In addition to the scholarship and support systems for existing students and other measures already implemented to prevent dropout and in primary and secondary education, the Educational Pathways Protection System was established in 2015. As part of the System, in 2016 the Educational Pathways Protection Protocol was drawn up and put into practice for middle school students. It includes a set of early warnings that allow students at risk of dropping out to be quickly identified, triggering actions to promote each student's remaining and continuing in the formal education system.

119. Since 2015, initial and primary education has been compulsory from the age of three years. Similarly, the main objective of the Early Registration Process for students with six years of primary education is to ensure that every child and adolescent is assigned to a centre for the first year of secondary education before graduating from primary school.

120. Regarding access to education in rural areas, the Public Education Administration, through the working group Post-Primary Education, prepared the document Universal Post-Primary Education in Rural Areas, which describes the social and educational situation of Uruguayan adolescents and youth living in rural areas where there is no post-primary education nearby — within ten kilometres —, and who would have to move outside their usual environment to begin or continue their studies at this educational level.[24] The Group also held national meetings on post-primary education in rural areas and regional meetings with senior figures in rural education, and proposed to the Central Board of Directors virtual and/or part-time basic secondary education for students without access middle schools.

N. Disability (recommendations 123.116, 123.185, 123.186)

121. Act 18.651 on comprehensive protection of persons with disabilities is fully in force, progress having been made in the regulation of various articles.[25]

Discrimination against persons with disabilities

122. The National Access to Justice and Legal Protection Plan for Persons with Disabilities 2015–2020 sets out strategic lines of work that are transversal, coordinated and go beyond the specific development of plans, programmes and actions targeting this group.

123. In 2017, the "right to equality and non-discrimination for persons with disabilities" project (which has funding from the United Nations Partnership to Promote the Rights of Persons with Disabilities) was approved to work on three components: access to health, with emphasis on the sexual and reproductive health of persons with disabilities; response to and protection from gender-based violence against women and girls with disabilities; and the collection and systematization of accurate and timely information for developing public

policy on disability issues. The project will last 30 months; its execution is inter-institutional and interagency, and has civil society participation.

Inclusive education

124. The inclusive education office of the Ministry of Education and Culture Education Directorate has links with education stakeholders, civil society organizations and representatives of the State and academia for the promotion and design of policies and proposals to foster the inclusion and continuation in education of people with disabilities, based on socio-educational paths that respect the rights, personal characteristics, age, and capabilities of the individual.

125. The Initial and Primary Education Council promotes the network of inclusive schools and kindergartens known as the Mandela Network. This programme seeks to foster the development of schools that implement inclusive education projects throughout the country.[26] When this report was concluded, the Network was composed of 72 schools in different parts of the country.

126. In late 2017, a cooperation project was approved with European Union funding in the framework of its EUROsociAL programme for the Public Education Administration to strengthen the capacities of the Uruguayan education system in order to guarantee the educational inclusion of persons with disabilities.

Social security

127. The Social Security Fund has a Support Technology Access Centre whose objective is to promote technological applications, in particular telecommunications, which contribute to the empowerment, rehabilitation and improvement of the quality of life of persons with disabilities. Through this programme, persons with disabilities who are users of the National Reference Centre on Birth Defects and Rare Diseases (CRENADECER) can access training in the use of the tool.

128. The Social Security Fund has extended to persons with disabilities the emergency assistance programme, running since 1984 to grant special assistance by agreement. In 2013 and 2016, agreements were signed with the Ministry of Social Development to provide assistance and other specialized health services to children and adults with disabilities in the Uruguay Grows with You and Cercanías programmes.

129. Since 1976, the Social Security Fund has offered supplementary medical assistance services to protected workers. These include rehabilitation services to regain the ability to work, including providing prosthetic devices, orthotics, lenses and special assistance when they are not provided by comprehensive health providers or are not covered by the National Resources Fund.

Access to employment

130. Act 19438[27] gives the National Civil Service Office supervision over the posts to be filled by persons with disabilities in bodies obligated by the Act. The Office has also published a guide to facilitate the integration of persons with disabilities in the public administration.[28]

131. Technical Employment and Vocational Training Centres (National Employment Directorate – National Employment and Vocational Training Institute) care for persons with various disabilities and offer them guidance and employment intermediation services, and have included in the Working Life Platform a specific section for registration of type of disability.

132. The Employment and Vocational Training Institute designs and manages the mainstreaming of the disability perspective in active employment policy. Since 2012, vocational training has been modified from the special model for persons with disabilities to inclusive training based on the principle of universal design and groups bringing together persons with and without disabilities.

O. Sustainable mining (recommendation 123.187)

133. The Ministry of Industry, Energy and Mining is working on south-south cooperation agreements with a view to guaranteeing a more appropriate and efficient exploitation of resources in agates and amethysts. Similarly, within the framework of the Ministry of Industry, Energy and Mining and the Ministry of Housing, Regional Planning and Environment strengthening programme in practices for sustainable mining, workshops were held with different mining stakeholders according to area of interest, and a Good Mining Practices Guide was prepared, this being one of the outputs of the programme, which has already ended.

P. General remarks on human rights (recommendations 123.20, 123.36, 123.40)

National Human Rights Plan

134. The National Human Rights Plan[29] was presented in August 2017. It seeks: to build a human rights culture comprised of the dignity of all and respect for one's own and other people's human rights; to guarantee an environment of coexistence and learning in human rights-based educational communities; to raise awareness, train and involve for the development of education processes among stakeholders who are strategic by virtue of their multiplication capacity or the particular relevance of their specific characteristics; and to create and strengthen the institutional framework for human rights education.

Rights of the elderly

135. As the lead institution for public policy on the elderly, INMAYORES drafted the National Ageing and Old Age Plan, 2016–2019, which contains public commitments to take specific actions to guarantee access by the elderly to their rights. In 2018, work was done to construct indicators with which to monitor those actions. This tool enabled information to be collected from the institutions involved, which was then used to prepare a public report on the progress of the plan divided into the following categories: awareness, effective exercise of rights and institutional strengthening. This makes it possible to see clearly the access to rights situation of the elderly, the differences in the paradigms for approaching old age and ageing used by State institutions, and the gaps in protection, thus strengthening the Institute's possibilities for negotiation, linkage and coordination to establish the human rights paradigm in the treatment of old age and ageing issues.

136. The Social Security Fund manages the programme Support for Non-Profit Civil Organizations, whereby organizations agree to take action to improve the quality of life of beneficiaries, who are the elderly people and persons with disabilities who participate in them. Currently the support model focuses on the needs of the elderly.

137. In 2017, 371 elderly persons organizations joined the Social Security Fund programme Support for Non-Profit Civil Organizations. The updated amounts of the economic support granted to accumulated member organizations in the period 1990–2016, distributed according to group are: 82.6 per cent to the elderly and 17.4 per cent to persons with disabilities (associations and foundations, among others).

III. Voluntary Pledges and commitments

138. Uruguay is committed to continuing to make progress in implementing the voluntary pledges and commitments made within the framework of the second universal periodic review cycle.

139. The commitments that that have been achieved and/or are in an advanced stage of implementation, and those that are still in the process of implementation are set out below.

Commitments achieved and/or at an advanced stage of implementation

(a) Adopt in the period 2015–2020 the Act establishing the National Care System;

(b) Pursue the implementation of the objectives of the National Strategy for Children and Adolescents;

(c) Reduce child mortality and malnutrition to the 2015 national goal for the Millennium Development Goals;

(d) Strengthen the National Institute for Older Persons as a policymaking institution on ageing and old age;

(e) Draw up a national equal opportunities plan and Rights and implement the Plan for Access to Justice and Legal Protection for Persons with Disabilities;

(f) Promote affirmative action for the transgender, transvestite and transsexual population;

(g) Put into operation the Technological University;

(h) Reduce repetition rates in compulsory education and increase completion rates;

(i) Expand and improve early childhood education provision;

(j) Ensure universal access to education for 4- and 5-year-old children and increase coverage for 3-year-old children. Ensure universal access to secondary education and increase completion rates in upper secondary education;

(k) Pursue inclusive policies to improve education with a view to narrowing the gap between different socioeconomic levels;

(l) Continue to integrate technology into education through the Support Centre for Child and Adolescent Education;

(m) Maintain the sustained growth of the education budget, linked to education policies and collective agreements;

(n) Ensure 100 per cent access to birth registration. Eliminate the late enrolment fine as an incentive for registration;

(o) Establish special procedures for the review and, where appropriate, annulment of adoptions or placements that originated in an enforced disappearance, in accordance with the best interests of the child and, if the child is capable of forming their own views, recognize their right to be heard;

(p) Adopt the draft amendments to the Code of Criminal Procedure and allow victims of human rights violations to participate in court proceedings;

(q) Draw up policies to identify, evaluate and provide a systemic response to unpaid work in order to redistribute domestic and care work between the State, the market and the family;

(r) Develop regulations that recognize the right to provide and receive quality care services and the right not to provide care when it presents an impediment to the full exercise of citizenship;

(s) Adopt and start to implement the National Human Rights Education Plan within the next four years;

(t) Strengthen the gender perspective within regional integration processes;

(u) Continue to strengthen the response to gender-based violence so as to help eradicate it, by:

- Implementing a new Plan of Action to Combat Gender-Based and Generational Violence;
- Developing an inter-institutional training strategy in that area;

(v) Implement the 11 steps towards a country free of domestic violence as part of the strategy for life and living together to which the Government has committed itself;

(w) Continue to implement the project "Uruguay, united in putting an end to violence against women, children and adolescents" 2012–2014;

(x) Continue to implement the Comprehensive Programme to Combat Gender-Based Violence;

(y) Pursue the establishment of a prison system with an institutional, centralized leadership, strengthening the National Rehabilitation Institute. Continue to improve the material conditions of detention and of administration of detention, with an emphasis on women and foreigners deprived of liberty;

(z) Develop institutional mechanisms for the social integration of released persons by strengthening the National Foundation for the Welfare of Prisoners and ex-Prisoners;[30]

(aa) Adopt the Act and the comprehensive national plan to combat trafficking in persons.

Commitments in the process of implementation

(a) Implement the conclusions of the National Dialogue on HIV and Human Rights, and adopt the proposed bill;

(b) Establish support systems to safeguard the rights of child and adolescent victims of commercial sexual exploitation, at the national level, for the period 2015–2020;

(c) Implement a system for measuring indicators of progress on economic, social and cultural rights;

(d) Increase teaching time in schools and early learning centres and continue to establish secondary schools offering a full school day;

(e) Implement alternatives to help young persons and adults complete their schooling;

(f) Continue to investigate human rights violations, particularly enforced disappearances that occurred in the recent past, regardless of the time elapsed since the commencement of the crime. Ensure that all State officials, including judges and prosecutors, receive adequate, specific training on the International Convention for the Protection of All Persons from Enforced Disappearance and the obligations it imposes on States parties;

(g) Promote regulations to guarantee the rights of rural women, with an emphasis on care, access to comprehensive health care, quality education, justice, productive resources and employment opportunities;

(h) Evaluate the National Plan for Equal Rights and Opportunities between Men and Women with a view to the development and implementation of a national gender policy;

(i) Strengthen the State institutional gender framework and the training of its human resources at the central, departmental and municipal levels to promote gender equity and equality, in order to increase its impact on the transformation of organizational structures, policies and programmes;

(j) Pursue the adoption of legislative and administrative measures to promote the social integration of children in conflict with the law, in particular the implementation of a crime policy that takes account of the best interests of the child, effective use of alternative measures to pretrial detention and the strengthening of a special juvenile jurisdiction;

(k) Continue to develop a criminal responsibility system that respects the rights of children, with an emphasis on the promotion of educational measures and the gradual decrease in leisure activities;

(l) Organize a dialogue to evaluate the results of the implementation of the Access to Public Information Act (Act No. 18,381) and consider any legislative amendments that might be appropriate;

(m) Continue to implement the social programmes of the Social Integration and Assistance Network to eliminate extreme poverty and reduce poverty to less than 10 per cent, and continue to reduce inequalities in income distribution;

(n) Collect data and indicators on violent acts against transsexual women;

(o) Establish the University of Education.

Notes

[1] Al cierre de este informe, el Mecanismo contaba con una integración de 32 instituciones del Estado: Poder Ejecutivo: Ministerio de Relaciones Exteriores (MRREE), Ministerio del Interior (MINTERIOR), Ministerio de Economía y Finanzas (MEF), Ministerio de Defensa Nacional (MDN), Ministerio de Educación y Cultura (MEC), Ministerio de Transporte y Obras Públicas (MTOP), Ministerio de Industria, Energía y Minería (MIEM), Ministerio de Trabajo y Seguridad Social (MTSS), Ministerio de Salud (MS), Ministerio de Ganadería, Agricultura y Pesca (MGAP), Ministerio de Turismo (MINTUR), Ministerio de Vivienda, Ordenamiento Territorial y Medio Ambiente (MVOTMA), Ministerio de Desarrollo Social (MIDES), Oficina de Planeamiento y Presupuesto (OPP), Instituto Nacional de Estadística (INE), Secretaría de Derechos Humanos de Presidencia de la República (SDH), Agencia Sociedad de la Información y del Conocimiento (AGESIC); Agencia Uruguaya de Cooperación Internacional (AUCI); Oficina Nacional de Servicio Civil (ONSC) Servicios Descentralizados: Instituto Nacional de Inclusión Adolescente (INISA), Obras Sanitarias del Estado (OSE), Instituto de la Niñez y la Adolescencia del Uruguay (INAU), Administración de Servicios de Salud del Estado (ASSE), Fiscalía General de la Nación (FGN); Administración Nacional de Correos (ANC) Entes Autónomos: Banco de Previsión Social (BPS), Administración Nacional de Educación Pública (ANEP), Poder Judicial (PJ), Poder Legislativo (PL – ambas Cámaras), Comisionado Parlamentario Penitenciario (CP); Gobiernos Departamentales: Intendencia de Montevideo Observadores: Institución Nacional de Derechos Humanos y Defensoría del Pueblo (INDDHH).

[2] http://www.diputados.gub.uy/inddhh/2016/Inf2016INDDHH.pdf – págs. 39 y 40.

[3] Esta Ley modifica normas del Código Penal, incluyendo un conjunto de artículos de normas penales que actualiza la materia de delitos sexuales y permite a la autoridad judicial eximir la pena por delito de homicidio de la mujer hacia la pareja o ex pareja en situaciones de violencia doméstica especialmente graves.

[4] El Plan de Acción incorpora en su marco conceptual el concepto de discriminación por pertenencia étnica racial, reconociendo la doble vulneración de las mujeres afro por razones de género y su pertenencia étnica racial. Asimismo, contempla indicadores sobre etnia y raza para su monitoreo y evaluación.

[5] Por resolución N° 83/2016 por más información: *http://www.fiscalia.gub.uy/innovaportal/file/1062/1/resolucion-83.pdf.*

[6] El Gabinete está integrado por:Ministerio del Interior; Ministerio de Desarrollo Social; Ministerio de Trabajo y Seguridad Social; Ministerio de Vivienda, Ordenamiento Territorial y Medio Ambiente; Ministerio de Salud Pública y coordina acciones con la Fiscalía General de la Nación, el Instituto del Niño y el Adolescente del Uruguay y el Banco de previsión Social.

[7] Decreto Presidencial 304/018.

[8] https://parlamento.gub.uy/documentosyleyes/ficha-asunto/130766.

[9] Proyecto conjunto entre el Ministerio de Trabajo y Seguridad Social (MTSS), la Agencia Española de Cooperación Internacional y el CETI.

[10] http://snep.edu.uy/pnedh/wp-content/uploads/sites/23/2017/08/Libro_SNEP_web.pdf.

[11] Para más información http://www.anep.edu.uy/anep/index.php/direccion-sectorial-de-integracion-educativa.

[12] Artículo 3 de la Ley 17817.

[13] Lo que se desagrega de la siguiente manera: Poder Ejecutivo 1,7%, Poder Judicial 1,1%, gobiernos departamentales 0,4% y Poder Legislativo 0%.

[14] Lo que se desagrega de la siguiente manera: Poder Ejecutivo 4,82%, Poder Judicial 1,53%, gobiernos departamentales 0,5% y Poder Legislativo 0%.

[15] La Mesa está integrada por: Ministerio de Desarrollo Social, Ministerio del Interior, Ministerio de Relaciones Exteriores, Ministerio de Defensa nacional, Ministerio de Educación y Cultura/Ministerio Público Fiscal, Ministerio de Transporte y Obras Públicas, Ministerio de Trabajo y Seguridad Social, Ministerio de Salud Pública, Ministerio de Ganadería, Agricultura y Pesca, Ministerio de Turismo,

Ministerio de Vivienda, Ordenamiento Territorial y Medio Ambiente, Poder Judicial, Instituto del Niño y Adolescente del Uruguay, Bancada Bicameral Femenina, Universidad de la República, Plenario Intersindical de Trabajadores – Convención Nacional de Trabajadores (PIT-CNT), tres representantes de Organizaciones de la Sociedad Civil.

[16] Ver Anexo N°3: Informe sobre la situación de la trata de personas en Uruguay, periodo 2014-2017 – MIDES.

[17] https://parlamento.gub.uy/documentosyleyes/ficha-asunto/105583.

[18] Artículo 79 en redacción, ley 19.551 del 25 de octubre de 2017.

[19] http://www.fiscalia.gub.uy/innovaportal/file/5488/1/res.-075_2018-transformacion.pdf.

[20] MIDES (2018): "¿Porqué bajó la pobreza entre 2016 y 2017?". Documento de Trabajo de la Dirección Nacional de Evaluación y Monitoreo.

[21] Para más información: http://www.msp.gub.uy/sites/default/files/archivos_adjuntos/Objetivos%20Sanitarios%20Nacionales%20FINAL%2022%20JUNIO%202016.pdf.

[22] Reducir número de personas que consumen tabaco (menores /mayores de 15 años;20% meta). Aumentar el número de instituciones libres de humo de cigarrillos. Anemia moderada en bebés de 6 a 23 meses de vida a 5%; hoy: 8,1%). Reducir el retraso del crecimiento de niños de 2 a 4 años (3%). Disminuir sobrepeso y obesidad. Controles eficientes en los procesos regulatorios en el consumo de alcohol. Plan intersectorial de alimentación saludable y actividad física. Disminución del Cáncer en menores de 70 años. Mortalidad por accidente cerebro-vascular entre los 30 y 69 años. Captación precoz de la diabetes y disminución cardiopatía isquémica. Atención a la enfermedad pulmonar obstructiva crónica y mortalidad infantil neonatal; seguir su disminución.

[23] En adición, a octubre de 2018 se han aprobado las siguientes leyes: Ley 19.529 de Salud Mental; Ley 19.535 de asistencia en situaciones de urgencia y emergencia en todo el territorio nacional; Ley 19.666 de centros de referencia para patologías de baja prevalencia; Decreto 272/2018 sobre Etiquetado de Alimentos; Decreto 235/018 sobre Etiquetado Plano.

[24] Para más información http://www.anep.edu.uy/anep/phocadownload/Publicaciones/UEMR/EMR__informe_final_mayo2014.pdf.

[25] El Decreto 79/2014 del 28/3/2014 reglamenta los arts. 49 a 51 de la Ley referidos al ingreso de personas con discapacidad al Poder Ejecutivo y el 214/014 del 28/07/2014 reglamenta el art. 25 sobre Asistentes Personales para personas con discapacidades severas en situación de dependencia.

[26] Más información sobre el proyecto http://www.ceip.edu.uy/nombre,-componentes-y-prop%C3%B3sitos.

[27] Artículo 6.

[28] Para más información: https://aplicaciones.onsc.gub.uy/pmb/opac_css/doc_num.php?explnum_id=69.

[29] Para más información: http://snep.edu.uy/pnedh/wp-content/uploads/sites/23/2013/03/Libro_PNEDH_digital.pdf.

[30] El Patronato Nacional de Encarcelados y Liberados fue sustituido por la Dirección Nacional del Liberado (DINALI), creado como unidad ejecutora dependiente del Ministerio del Interior por Art. 163 de la Ley 19.355, del 19/12/2015 (Presupuesto Nacional). Asimismo, cuenta con su decreto reglamentario No. 174/016 de 13/06/16.

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Compilation on Uruguay

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1, 2]

2. The Committee on the Elimination of Racial Discrimination and the Committee on Economic, Social and Cultural Rights welcomed the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure in 2015.[3] The Committee on the Elimination of Racial Discrimination encouraged ratification of the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169).[4]

3. The Office of the United Nations High Commissioner for Human Rights (OHCHR) supported the process of implementing the Recommendations Monitoring System and the establishment of a national mechanism for reporting and follow-up,[5] and strengthened the role of parliamentarians[6] and worked with civil society on follow-up to human rights-related recommendations.[7]

4. In 2017, the High Commissioner for Human Rights conducted a mission to Uruguay and highlighted both the positive developments and challenges in the fulfilment of its human rights commitments.[8]

III. National human rights framework[9]

5. The United Nations country team said that there was still a gap in the legislative framework on human rights and that laws themselves did not ensure that rights were enjoyed.[10]

6. The United Nations country team said that the budget and capacity for action of the National Human Rights Institution and Ombudsman's Office had increased, that the Institution was independent and that it had A status.[11] Several treaty bodies had previously urged Uruguay to ensure that the National Human Rights Institution and Ombudsman's Office were provided with adequate human and financial resources.[12]

7. In 2018, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment encouraged Uruguay to strengthen its national mechanism for the prevention of torture, so that it could adequately and independently fulfil its prevention and monitoring functions, and to extend its coverage and visibility throughout the country.[13]

8. The Human Rights Committee regretted that Uruguay had not yet amended the provisions in its Constitution regarding states of emergency and urged it to ensure compliance with article 4 of the International Covenant on Civil and Political Rights.[14]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[15]

9. A number of treaty bodies urged Uruguay to introduce legislation prohibiting all forms of discrimination and incorporating provisions on redress.[16] The Committee on the Elimination of Racial Discrimination noted that the dissemination of ideas based on racial superiority or hatred and propaganda or participation in organizations promoting racial discrimination had not been defined as punishable acts under the Criminal Code[17] and urged Uruguay to include in its legislation an explicit prohibition against racial discrimination covering direct and indirect discrimination.[18]

10. Act No. 19122 (2013) on affirmative action measures in the public and private spheres for persons of African descent and the enabling legislation issued in Decree 144/014 (2014) were welcomed by the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women.[19] The former Committee was concerned by the fact that structural discrimination against persons of African descent was reflected in their disproportionate levels of poverty and social exclusion.[20] Of particular concern was the persistent de facto, intersecting discrimination against Uruguayan women of African descent.[21] The United Nations country team raised similar concerns, including in respect of lower education levels and fewer opportunities to exercise rights, and stated that there was inequality in terms of the participation and representation (which was low) of the population of African descent in the political system.[22]

11. Several treaty bodies noted the legislative progress related to the rights of lesbians, gay, bisexual and transgender persons.[23] The Human Rights Committee nevertheless urged Uruguay to step up its efforts to combat discrimination against such persons, protect them, investigate all acts of violence motivated by the sexual orientation or gender identity of the victims and prosecute and punish the perpetrators.[24] The United Nations country team said that it was still hard to report stigmatization, discrimination and violence on grounds of sexual orientation and identity and gender expression to the police.[25] The country team also noted that Uruguay was in the process of developing its first national plan on sexual diversity and that the Parliament was currently considering a comprehensive draft bill regarding transsexual people.[26]

2. Development, the environment, and business and human rights[27]

12. The United Nations country team pointed out that Uruguay had adopted policies and plans for sustainable development,[28] such as the transformation of the country's energy

mix, 62 per cent of which was accounted for by renewable energy sources, the adoption of land use and management plans, which are obligatory for rainfed agriculture and are being studied for use in growing fodder for dairy farming.[29] The country team noted, however, noted that the country's model of economic development was still based on the intensive use of natural resources, which had negative effects, including the concentration of landownership, rural outmigration, environmental damage, the loss of habitat and natural landscapes and water pollution resulting from the heavy use of agricultural chemicals.[30] It also noted that studies had shown a drop in water quality throughout the country but that the National Water Plan, which was expected to help solve those problems, had been adopted by decree in 2017.[31]

13. The Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment stated that Uruguay had made remarkable efforts to reduce its carbon emissions over the past decade and encouraged it to continue to share its experiences with other States.[32] He nevertheless highlighted challenges[33] and recommended that Uruguay must ensure that, as it increased its production of agriculture and livestock, it protected the environment and the human rights of those who depended upon it, in particular, the rights of the public to have access to environmental information, to participate in decision-making related to the environment and to have access to effective remedies for environmental harm.[34]

14. The Special Rapporteur also recommended that Uruguay guarantee that the development and implementation of the National Environmental Plan reflected a rights-based approach;[35] ensure that all proposals to carry out or approve projects that might have significant environmental effects were subject to careful, thorough assessment of their environmental impacts, including in particular the impacts that might interfere with the full enjoyment of human rights and public information;[36] and make its environmental communications procedures more transparent and responsive, by establishing an environmental ombudsperson.[37]

B. Civil and political rights

1. Right to life, liberty and security of person[38]

15. Some treaty bodies were concerned about the killings of transgender women in the country[39] and the low number of prosecutions and convictions for such killings.[40] Two treaty bodies recommended that Uruguay put an end to those selective killings, protect people from homophobic and transphobic violence and from cruel, inhuman and degrading treatment[41] and investigate the murders of transgender persons.[42]

16. The Committee on the Rights of the Child and the Committee against Torture were seriously concerned about the alleged ill-treatment and torture of adolescents and of children in street situations in police stations, the reported excessive use of force and collective punishments in detention facilities,[43] and the reported reprisals against victims, their families and officials who had reported ill-treatment.[44] They urged Uruguay to establish an independent complaints mechanism accessible to all children deprived of their liberty and investigate all those alleged cases and prosecute offenders.[45]

17. Both the Committee against Torture and the Human Rights Committee urged Uruguay to align the definition of torture contained in article 22 of Act No. 18026 (2006) with the definitions provided by the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.[46] In the light of the "dozens of criminal complaints of ill-treatment or failure to care for persons deprived of their liberty" submitted by the Parliamentary Commissioner for the Prison System, the Committee against Torture regretted the absence of precise numbers of allegations, investigations, trials or convictions involving cases of torture or ill-treatment and urged that an independent body promptly and thoroughly investigate allegations of torture or ill-treatment.[47] The High Commissioner for Human Rights made a similar recommendation.[48]

18. The United Nations country team said that Uruguay was dealing with a crisis in its prison system and that the number of people deprived of their liberty had risen steadily.[49] It

also said there were some prisons still characterized by overcrowding and the use of prolonged or solitary confinement and that the violence in the prisons was troubling, owing to the poor conditions of detention.[50] The High Commissioner expressed concern about the reportedly "appalling and inhumane" conditions in many detention centres.[51] The Committee against Torture was concerned about the shortcomings of medical care, water supply, sanitation and ventilation in cells.[52] The United Nations country team raised similar concerns.[53]

19. Two treaty bodies were concerned about the inadequate conditions for women detained with their children[54] and recommended making appropriate arrangements for the children of women detainees, taking into account the best interests of the child, and strengthening the monitoring of women in detention.[55] The United Nations country team stated that it was essential to encourage the use of non-custodial penalties for teenage mothers imprisoned with their children.[56]

2. Administration of justice, including impunity, and the rule of law[57]

20. Recognizing the efforts to address impunity and provide redress to the victims of human rights violations committed between 1973 and 1985,[58] some treaty bodies disagreed with Supreme Court Decision No. 20 (2013), in which the Court found that articles 2 and 3 of the Punitive Powers of the State Act (Act No. 18831) were unconstitutional as applied to a case of serious human rights violations committed during the dictatorship.[59] They considered that the Supreme Court's refusal to allow the retroactive application of the provision whereby crimes against humanity were not subject to a statute of limitation ran counter to international human rights law.[60] The Committee against Torture urged Uruguay to ensure that crimes against humanity, including acts of torture and enforced disappearance, were not subject to any statute of limitations, amnesty or immunity.[61] In 2014 and 2016, Uruguay stated that trials concerning serious human rights violations were being held in national criminal courts in spite of the ruling.[62] The United Nations country team mentioned the death threat received by the authorities, legal officials and human rights defenders who had had a role in seeking justice in 2017 and noted that no progress had been made in the investigations.[63] The High Commissioner raised similar concerns.[64] The United Nations country team referred to the Working Group for Truth and Justice, set up in 2015 to address impunity for crimes committed in the past (1973–1985), and the establishment in 2018 of the Office of the Special Prosecutor for Crimes against Humanity.[65] It also recommended revising the requirements that had to be met for victims to receive a reparatory pension, as they were not in line with international standards.[66]

21. The High Commissioner voiced alarm at the situation of adolescents in conflict with the law, particularly the excessive duration of pretrial detention.[67] The United Nations country team raised similar concerns.[68] The Committee on the Rights of the Child recommended repealing the amendments to the Code on Childhood and Adolescence on the administration of juvenile justice, which restricted the safeguards of the Convention on the Rights of the Child.[69] It also recommended adopting recovery and social integration measures for children in conflict with the law.[70]

22. The Committee against Torture mentioned that two thirds of the prison population was awaiting trial[71] and urged Uruguay to use alternative measures to deprivation of liberty and to set a maximum limit on the length of pretrial detention, as part of the reform of the Code of Criminal Procedure.[72] The United Nations country team said that the new Code of Criminal Procedure[73] had been in force since November 2017 but that in July 2018 the Parliament had considered draft amendments to the Code that would entail a reversal of several of the innovations that had been introduced.[74] It was also of the view that it was essential to continue investing in the process.[75]

3. Fundamental freedoms and the right to participate in public and political life[76]

23. The United Nations country team noted that Uruguay did not have a mechanism that would make it possible for Uruguayans resident abroad to exercise their right to vote and that people who had not voted in the two previous elections were removed from the electoral roll. The Electoral Court stated in reply to a query that there were no objections to

giving effect to the recommendations received in that regard during the second cycle of the universal periodic review.[77]

4. Prohibition of all forms of slavery[78]

24. The Committee on the Elimination of Discrimination against Women stated that Uruguay was both a transit and a destination country for trafficking in persons, especially women and girls.[79] Efforts to prevent and combat trafficking in persons for sexual exploitation and forced labour were appreciated,[80] but trafficking in persons for sexual or labour exploitation continued to occur and comprehensive legislation to protect victims of human trafficking was lacking.[81]

25. The United Nations country team mentioned that the pending adoption by the Parliament[82] of the bill on trafficking in persons was a step forward, as was the establishment by the Attorney General's Office of the Victims Unit,[83] in line with the recommendations made by several treaty bodies.[84] Specialized services for the care and protection of persons trafficked for labour purposes were still to be put in place, however.[85]

26. The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that Uruguay establish a referral mechanism for victims of trafficking to enable them to apply for asylum[86] and develop a standard operating procedure for the identification of victims of trafficking and those who might be in need of international protection.[87]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[88]

27. A number of treaty bodies were concerned about high unemployment among young people, women and persons with disabilities.[89] The Committee on Economic, Social and Cultural Rights recommended that Uruguay reduce the unemployment rates of the most disadvantaged and marginalized persons and groups, and reinforce the sustainability of its employment policies, placing priority on the main causes of unemployment.[90]

28. Several treaty bodies were concerned about the gender wage gap;[91] the higher unemployment and self-employment rates among women, especially women of African descent;[92] the disproportionate number of women employed in the informal economy;[93] the obstacles faced by women in gaining access to career opportunities on an equal footing with men;[94] and the overrepresentation of women of African descent in domestic work[95] and discrimination against them.[96] Despite efforts to regulate the rights of domestic workers, there were cases in which migrant women in the domestic sector were subjected to abusive employment conditions. Those in irregular situations were most at risk of exploitation and lacked protection.[97] The United Nations country team raised similar concerns.[98] The International Labour Organization Committee of Experts on the Application on Conventions and Recommendations reiterated that the National Employment Directorate and other competent public authorities (such as the labour inspectorate) should have sufficient resources to take remedial action to ensure the application of the relevant national legislation.[99]

29. The Committee on Economic, Social and Cultural Rights noted that, despite the sizeable increases in the minimum wage, the wage was still not sufficient to afford decent living conditions and urged Uruguay to intensify its efforts in that direction.[100]

2. Right to social security[101]

30. Informal workers and self-employed persons had difficulties in gaining access to the single social tax programme, and the present minimum level of benefits was not sufficient to provide decent living conditions, according to the Committee on Economic, Social and Cultural Rights.[102] The Committee urged Uruguay to intensify its efforts to guarantee universal social security coverage with adequate benefits for all.[103] The Committee on the Elimination of Discrimination against Women recommended promoting periodic contributions to the social security system by employers of domestic and care workers.[104]

31. The United Nations country team noted that migrant workers and the members of their families did not have access to some social security benefits on an equal footing with Uruguayan nationals.[105]

3. Right to an adequate standard of living[106]

32. Despite major advances in combating poverty and inequality,[107] several treaty bodies were concerned that poverty levels were disproportionately high among children, persons of African descent, people living in rural areas[108] and persons with disabilities.[109] The United Nations country team raised similar concerns and noted that poverty levels were at historic lows.[110] The Committee on Economic, Social and Cultural Rights urged Uruguay to use a rights-based approach in anti-poverty programmes and to address the gaps between urban and rural areas.[111]

33. The United Nations country team said that gaining access to food was still hard for some groups.[112] The Committee on Economic, Social and Cultural Rights recommended adopting a comprehensive social housing strategy, prioritizing disadvantaged and marginalized persons.[113] It was concerned that the offence of unlawful settlement and the introduction of the petty offence of unauthorized occupation of public sites might criminalize homelessness.[114] It also recommended that Uruguay ensure the proper implementation of the National Drinking Water and Sanitation Plan and access to sanitation services for the most disadvantaged and marginalized groups.[115]

4. Right to health[116]

34. The Committee on the Rights of the Child was concerned that a large number of children suffered from chronic malnutrition, anaemia and obesity[117] and made relevant recommendations.[118] The Committee on Economic, Social and Cultural Rights was also concerned about the high rates of obesity in the country and the lack of comprehensive and effective measures to address the problem.[119]

35. While commending Uruguay on drastically reducing maternal mortality,[120] some treaty bodies noted that access to sexual and reproductive health information and services in rural areas was limited and teenage pregnancy rates were high.[121] The widespread use of conscientious objection among medical practitioners limited access to safe abortion services.[122] During his mission, the High Commissioner for Human Rights urged Uruguay to remove any restrictions and barriers to reproductive health services, including safe abortion procedures.[123] Two treaty bodies and UNESCO recommended introducing age-appropriate education on sexual and reproductive health to prevent early pregnancies and sexually transmitted infections.[124]

36. The Committee on the Rights of Persons with Disabilities recommended that Uruguay ensure that mainstream health services were accessible to persons with disabilities, and train health professionals in treating persons with disabilities, observing the right to free and informed consent.[125] The Committee on Economic, Social and Cultural Rights recommended ensuring the accessibility, availability and quality of mental health services throughout the country, while reserving institutionalization for cases in which it was strictly necessary.[126] It recommended that Uruguay adopt the bill that would guarantee affordable access to all medicines.[127]

5. Right to education[128]

37. According to UNESCO, the Constitution of 1967, as amended in 2004, did not explicitly enshrine the right to education.[129] Some treaty bodies acknowledged efforts to improve the education system,[130] but were concerned that the inequalities in terms of access to education and educational attainment, which had the greatest impact on children of African descent and those from disadvantaged groups, were sharp and persistent, while the dropout rates, especially at the secondary school level, were very high.[131] UNESCO raised similar concerns,[132] while it acknowledged the important achievements that had been made in the field of access to education for women and girls.[133] The Committee on the Elimination of Discrimination against Women recommended that Uruguay address the high school dropout rates among girls, promote the representation of women in decision-making

positions in academic institutions and increase the number of female professors in universities.[134]

38. With regard to the quality of education, UNESCO reported that the system presented persistent difficulties and that, although the coverage in primary education was universal, the situation became more complex as the students advanced in their trajectories, with many students lagging behind.[135] The United Nations country team raised similar concerns.[136] The Committee on the Rights of the Child and UNESCO urged Uruguay to allocate sufficient financial resources to develop and improve its education system;[137] ensure equal access to high-quality education for all children, particularly children in vulnerable situations; adopt a comprehensive strategy to address factors contributing to low enrolment and non-completion of schooling; and develop training of qualified teachers and improve their working conditions.[138]

39. In the context of the third phase (2015–2019) of the World Programme for Human Rights Education, OHCHR reported that a national plan for human rights education, covering primary, secondary and higher education and vocational training, had been approved in Uruguay in 2016.[139] Uruguay implemented various projects to promote human rights education for teachers and educators[140] and various human rights education projects targeted children and young persons outside the formal education system.[141]

D. Rights of specific persons or groups

1. Women[142]

40. The United Nations country team noted that the National Gender Equality Strategy 2030 had been adopted in 2018 and that the Strategy called for the adoption of a law on equality (currently being considered by the Parliament) with a view to bringing domestic legislation into line with international standards and recommendations.[143] While welcoming measures to promote gender equality,[144] two treaty bodies were concerned about the deeply rooted gender stereotypes in society, manifested in acts of discrimination and violence against women.[145] There were also discriminatory provisions against women, particularly in the Criminal Code and the Code of Criminal Procedure.[146]

41. Despite efforts to prevent and combat gender-based violence,[147] including the action plan for a life free from gender-based violence (2016–2019),[148] the Committee against Torture and the Committee on the Elimination of Discrimination against Women were concerned that gender-based violence, particularly domestic violence, was still prevalent.[149] The Committee on the Elimination of Discrimination against Women expressed concern about the rise of femicide, the lack of legal recognition of certain forms of violence against women, the low number of prosecutions and convictions and the referral of those cases to mediation procedures.[150] The United Nations country team was still of the view that there was a lack of training on victim protection.[151] The High Commissioner for Human Rights stated that the persistently high rates of gender-based killings of women was troubling, as was the difficulty many women victims of violence faced in accessing justice.[152] Several treaty bodies urged Uruguay to prevent and combat domestic violence against women; reform the Criminal Code and adopt a comprehensive law criminalizing all forms of violence against women, including femicide and marital rape;[153] prosecute gender-based violence and hold perpetrators accountable;[154] provide the victims with redress, including compensation; and broaden awareness-raising campaigns.[155]

42. The United Nations country team also noted that Act No. 19538, which introduced the crime of femicide in articles 311 and 312 of the Criminal Code, and Act No. 19580, on gender-based violence against women, had been put into effect in 2017.[156]

43. Despite the legislative measures on the political participation of women,[157] two treaty bodies were concerned that women were underrepresented in political and public life.[158] The United Nations country team said that, despite the adoption of Act No. 19555 of 2017, the political participation of women was still too low.[159]

2. Children[160]

44. The United Nations country team indicated that the development of the National Early Childhood, Childhood and Adolescence Plan 2015–2020 had been a step forward but that the budgetary resources allocated to children's affairs should be increased.[161]

45. Two treaty bodies raised the concern that the minimum age of marriage was 16 years[162] and urged Uruguay to bring the minimum age for marriage into line with international standards.[163] The United Nations country team said that the bill on raising the minimum age for marriage to 18 had not been adopted by the Parliament and suggested that it be given expeditious consideration.[164]

46. The United Nations country team said that children and adolescents were still enduring high rates of violence and that working on prevention and building information systems that would make it possible to follow up on those situations were essential.[165] The Committee on the Rights of the Child made similar recommendations,[166] including a recommendation to effectively implement laws prohibiting corporal punishment.[167]

47. The same Committee expressed concern about the prevalence of sexual exploitation and abuse of children, including in the home,[168] and the lack of effective measures to prevent child sexual exploitation and abuse.[169] It urged Uruguay to bring its criminal legislation into compliance with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;[170] ensure effective enforcement of its legislation prohibiting child prostitution and child pornography;[171] implement a regulatory framework to prevent and eliminate child sex tourism;[172] and adopt specific legislation to protect and assist child victims and child witnesses.[173]

48. Several treaty bodies recommended that Uruguay continue to combat children's economic exploitation, by enforcing related laws, strengthening child labour oversight and reinforcing support for poor families.[174] Uruguay was also urged to address the problem of children in street situations[175] and the issue of violence against such children by the police.[176]

49. The Committee on the Rights of the Child recommended that Uruguay promote a foster care system for children and ensure their reunification with their families; ensure adequate safeguards and periodic review of decisions about their placement in foster care and institutions; and allocate resources to alternative care centres for their rehabilitation and social reintegration.[177] The United Nations country team made similar recommendations.[178]

50. The Committee on the Rights of the Child urged Uruguay to criminalize the recruitment and use in hostilities of children under the age of 18 years in the State armed forces and non-State armed groups.[179]

3. Persons with disabilities[180]

51. Concerned about the negative stereotypes of persons with disabilities,[181] the Committee on the Rights of Persons with Disabilities recommended that Uruguay recognize and promote them as fully fledged rights holders.[182] It also recommended aligning the legal definition of disability with the Convention and a human rights model of disability.[183] UNESCO made similar recommendations.[184]

52. The same Committee also recommended repealing the legal provisions restricting the legal capacity of persons with disabilities and replacing substitute decision-making models with a system of supported decision-making that respected the autonomy of persons with disabilities.[185] It recommended repealing the Civil Code provisions preventing persons with intellectual or psychosocial disabilities from marrying and enabling persons with disabilities to exercise their rights to motherhood or fatherhood without discrimination.[186]

53. The same Committee urged Uruguay to prohibit forced institutionalization on the grounds of disability and to abolish non-consensual internment or hospitalization.[187] The United Nations country team noted that Act No. 19529 had entered into force in 2017, thereby bringing the law up to date, as had been recommended.[188]

54. With regard to accessibility, the Committee on the Rights of Persons with Disabilities recommended implementing an accessibility action plan in both rural and urban areas, as public facilities and services were not fully accessible in Uruguay.[189] It also recommended conveying all public information through accessible modes of communication.[190]

55. The United Nations country team said that violence against persons with disabilities was particularly prevalent.[191] The Committee on the Rights of Persons with Disabilities recommended the prevention of and protection from exploitation, violence and abuse for all persons with disabilities, including women and children, ensuring their proper rehabilitation, and investigating instances of exploitation, violence and abuse against them.[192]

56. The Committee on Economic, Social and Cultural Rights urged Uruguay to effectively apply, in all areas of the public sector, the 4 per cent minimum quota for hiring persons with disabilities.[193] The United Nations country team noted that the quota system provided for by law had not been fully set up and that in 2018 the Parliament had been considering a bill that would require employers with more than 25 employees to hire persons with disabilities.[194]

57. UNESCO stressed that Uruguay had not adopted a comprehensive policy to foster inclusive education and the participation in society of children with disabilities.[195] Two treaty bodies recommended that Uruguay provide high-quality inclusive education at all levels.[196] The country team made similar recommendations.[197] UNESCO encouraged Uruguay to adopt a national plan to implement Law No. 18615.[198]

58. The Committee on the Rights of Persons with Disabilities was concerned that the number of persons with disabilities, in particular women, in political and public life was low and voting materials and polling stations were not sufficiently accessible.[199]

4. Minorities and indigenous peoples[200]

59. The Committee on Economic, Social and Cultural Rights recommended that Uruguay promote greater respect for cultural diversity; create an environment in which the Afro-descendent and indigenous populations could preserve their identity, culture and traditions; and foster knowledge about indigenous peoples' historical and cultural legacy, especially within the realm of education.[201] The Committee on the Elimination of Racial Discrimination recommended that Uruguay adopt a plan to give greater visibility to indigenous peoples and acknowledge their cultural identity.[202]

60. The Committee on the Elimination of Racial Discrimination was also concerned that Afro-Uruguayans were underrepresented at all levels of government and in decision-making positions in the public and the private sectors.[203] It recommended adopting measures for their full participation in public affairs, both in decision-making positions and in representative institutions, at all levels of government, and in decision-making positions in the private sector.[204]

5. Migrants, refugees, asylum seekers and internally displaced persons

61. In 2014, the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families stressed that the Migration Act (No. 18250 (2008)) could serve as a model for other States.[205] UNHCR reported that internal regulations to facilitate the implementation of the law had not yet been adopted.[206] The United Nations country team said that migrants sometimes had to contend with discrimination in education, health care and employment, as well as with working in the informal sector.[207] Several treaty bodies raised similar concerns and made relevant recommendations.[208] The Committee on Economic, Social and Cultural Rights also raised a concern that migrant workers were employed in low-paying jobs in which working conditions were poor.[209]

62. With regard to unaccompanied migrant children, the Committee on the Rights of the Child recommended introducing comprehensive legislation and procedures for ensuring assistance to and protection of unaccompanied migrant children.[210]

63. Two treaty bodies noted difficulties for returning Uruguayan migrant workers in gaining access to reintegration services[211] and recommended increasing efforts so that they could fully avail themselves of their economic, social and cultural rights.[212]

64. UNCHR reported that, in 2017, Uruguay had experienced an increase in the number of asylum applications. Nevertheless, the lack of an adequate response from asylum authorities to that situation had heavily strained its asylum system, negatively affecting the efficiency of the refugee status determination procedure and causing significant delays in the registration and adjudication of claims.[213] It said that efforts should be made to speed up the refugee status determination procedures and allocate sufficient human resources to reduce the current backlog.[214] It mentioned the need to apply an adequate gender-sensitive approach in such procedures[215] and to incorporate child-sensitive elements with special attention to unaccompanied and separated children.[216] Some treaty bodies made similar recommendations. [217] The Committee on the Rights of the Child, in particular, recommended establishing an effective identification mechanism for children who may have been recruited and/or used in hostilities, including refugee and asylum-seeking children.[218]

65. UNHCR noted that Uruguay had announced in 2017–2018 that it would pilot the regional Refugee Solidarity Resettlement Programme for persons fleeing violence from northern Central America.[219] It also stated that there was no comprehensive State strategy or policy to ensure the local integration of asylum seekers and refugees and that measures should be implemented to ensure refugees' empowerment through access to employment and other income-generating activities.[220]

6. Stateless persons

66. The Committee on the Elimination of Discrimination against Women recommended that Uruguay adopt legislation on status determination and the protection of stateless persons.[221] UNHCR reported that an updated draft law on statelessness status determination and the protection of stateless persons was under consideration by Parliament and recommended urgently adopting national legislation on statelessness.[222]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Uruguay will be available at www.ohchr.org/EN/Countries/LACRegion/Pages/UYIndex.aspx.

[2] For relevant recommendations, see A/HRC/26/7, paras. 123.1–123.8, 123.66, 123.73, 123.106 and 123.145.

[3] CERD/C/URY/CO/21-23, para. 4; and E/C.12/URY/CO/5, para. 4.

[4] CERD/C/URY/CO/21-23, para. 24.

[5] A/HRC/35/18, para. 39. See also A/HRC/34/24, para. 28; and A/HRC/34/3, paras. 23 and 58.

[6] A/HRC/34/3, para. 75. See also A/HRC/25/19, para. 45; and A/HRC/32/28, para. 29.

[7] A/HRC/32/20, para. 55. See also A/HRC/26/54, para. 14; and A/HRC/34/3, para. 66.

[8] A/HRC/37/3, para. 3. See also www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22318&LangID=E.

[9] For the relevant recommendations, see A/HRC/26/7, paras. 123.10–123.27, 123.29–123.30, 123.33, 123.36–123.37, 123.42–123.44, 123.46, 123.56, 123.58, 123.65, 123.79, 123.120, 123.122, 123.127, 123.131, 123.139, 123.144, 123.155 and 123.182.

[10] See United Nations country team submission for the universal periodic review of Uruguay, para. 2.

[11] Ibid., para. 7.

[12] CEDAW/C/URY/CO/8-9, para. 14 (f); CAT/C/URY/CO/3, para. 15 (a); CCPR/C/URY/CO/5, para. 7; and CRC/C/URY/CO/3-5, para. 18. See also CAT/C/URY/QPR/4, para. 4; CCPR/C/URY/CO/5/Add.1, paras. 3–6; and CCPR/C/URY/CO/5/Add.2, paras. 1–10.

[13] Press release of 20 March 2018. Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22855&LangID=E. See also CCPR/C/URY/CO/5/Add.1, paras. 7–11; CAT/C/URY/CO/3, para. 14; CAT/C/URY/QPR/4, para. 5; CCPR/C/URY/CO/5, para. 7; CCPR/C/URY/CO/5/Add.2, paras. 11–23; and the United Nations country team submission, para. 9.

[14] CCPR/C/URY/CO/5, para. 6.

[15] For relevant recommendations, see A/HRC/26/7, paras. 123.47–123.55, 123.57, 123.59, 123.62,

123.152 and 123.158–123.159.

[16] E/C.12/URY/CO/5, para. 10 (a) and (d); CMW/C/URY/CO/1, para. 20 (a); CRC/C/URY/CO/3-5, para. 24 (a); and CRPD/C/URY/CO/1, para. 14. See also UNESCO submission for the universal periodic review of Uruguay, para. 11; and the press release of the High Commissioner for Human Rights of 27 October 2017, available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22318&LangID=E.

[17] CERD/C/URY/CO/21-23, para. 10.

[18] Ibid., para. 11.

[19] Ibid., para. 6 (a); and CEDAW/C/URY/CO/8-9, para. 4 (e).

[20] CERD/C/URY/CO/21-23, paras. 16 and 27. See also E/C.12/URY/CO/5, para. 11.

[21] CEDAW/C/URY/CO/8-9, paras. 9 and 17 (c). See also CERD/C/URY/CO/21-23, para. 25; and the United Nations country team submission, para. 40.

[22] United Nations country team submission, para. 38. See also CERD/C/URY/CO/21-23, para. 34 (a) and (c).

[23] CCPR/C/URY/CO/5, para. 12; CEDAW/C/URY/CO/8-9, paras. 5, 6 (b) and 17; and CERD/C/URY/CO/21-23, para. 27.

[24] CCPR/C/URY/CO/5, para. 12. See also CERD/C/URY/CO/21-23, para. 28.

[25] United Nations country team submission, para. 42.

[26] Ibid., para. 21.

[27] For relevant recommendations, see A/HRC/26/7, paras. 123.167 and 123.187.

[28] United Nations country team submission, para. 70.

[29] Ibid.

[30] Ibid., para. 72.

[31] Ibid., para. 73.

[32] A/HRC/37/58/Add.1, para. 74.

[33] Ibid., paras. 27, 31, 38–41, 50, 53–55, 57, 65–66 and 72–73.

[34] Ibid., para. 75.

[35] Ibid., para. 77.

[36] Ibid., para. 86.

[37] Ibid., para. 90. See also the press releases of 28 April 2017 and 2 May 2017, available, respectively, from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21559&LangID=E and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21560&LangID=E.

[38] For relevant recommendations, see A/HRC/26/7, paras. 123.16, 123.67, 123.71–123.72, 123.74, 123.76–123.78, 123.80, 123.82, 123.84–123.87, 123.89–123.95, 123.101, 123.107 and 123.143.

[39] CAT/C/URY/CO/3, para. 21; and CCPR/C/URY/CO/5, para. 12.

[40] CEDAW/C/URY/CO/8-9, para. 19 (c).

[41] CAT/C/URY/CO/3, para. 21. See also CAT/C/URY/QPR/4, para. 31.

[42] CCPR/C/URY/CO/5, para. 12 (a); and CAT/C/URY/CO/3, para. 21 (b). See also A/HRC/29/23, para. 26.

[43] CRC/C/URY/CO/3-5, para. 29 (a)–(b); and CAT/C/URY/CO/3, para. 13. See also CRC/C/URY/CO/3-5, para. 67; and the United Nations country team submission, para. 53.

[44] CAT/C/URY/CO/3, para. 13. See also CAT/C/URY/QPR/4, para. 26.

[45] CRC/C/URY/CO/3-5, para. 30 (b)–(c) and (e); and CAT/C/URY/CO/3, para. 13 (a)–(b). See also CCPR/C/URY/CO/5, para. 18; CAT/C/URY/CO/3/Add.1, para. 7; and CAT/C/URY/CO/3, para. 13 (d)–(e).

[46] CAT/C/URY/CO/3, para. 7; and CCPR/C/URY/CO/5, para. 14. See also CAT/C/URY/QPR/4, para. 2; and CAT/C/URY/CO/3, para. 5 (a).

[47] CAT/C/URY/CO/3, para. 9. See also CAT/C/URY/CO/3/Add.1, paras. 1–5; CAT/C/URY/QPR/4, para. 23; and the letter dated 29 August 2016 from the Committee against Torture addressed to the Permanent Mission of Uruguay to the United Nations Office and other international organizations in Geneva, p. 1. Available from http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/URY/INT_CAT_FUL_URY_25027_E.pdf.

[48] Press release of 27 October 2017.

[49] United Nations country team submission, para. 52. See also para. 3.

[50] Ibid., para. 55. See also CCPR/C/URY/CO/5, para. 9; CRC/C/URY/CO/3-5, para. 29 (c); CMW/C/URY/CO/1, para. 25; and CAT/C/URY/CO/3, para. 10.

[51] Press release of 27 October 2017. See also the press release of 20 March 2018, available form www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22855&LangID=E.

[52] CAT/C/URY/CO/3, para. 10. See also CCPR/C/URY/CO/5, para. 9; CMW/C/URY/CO/1, para. 26; CRC/C/URY/CO/3-5, para. 30 (d); CAT/C/URY/CO/3, para. 12 (d)–(e); CAT/C/URY/QPR/4, paras. 18–19; CAT/C/URY/CO/3/Add.1, paras. 14–15; and the letter dated 29 August 2016 from the Committee against Torture addressed to the Permanent Mission of Uruguay, p. 1.

[53] United Nations country team submission, para. 53.

[54] CEDAW/C/URY/CO/8-9, para. 43; and CRC/C/URY/CO/3-5, para. 41.
[55] CEDAW/C/URY/CO/8-9, para. 44; and CRC/C/URY/CO/3-5, para. 42 (a) and (c).
[56] United Nations country team submission, para. 57.
[57] For relevant recommendations, see A/HRC/26/7, paras. 123.9, 123.75, 123.81, 123.83, 123.86, 123.88, 123.133–123.136, 123.138, 123.140–123.141 and 123.146–123.150.
[58] CAT/C/URY/CO/3, para. 16.
[59] CCPR/C/URY/CO/5, para. 19; and CAT/C/URY/CO/3, para. 16. See also CCPR/C/URY/CO/5/Add.1, para. 16; CCPR/C/URY/CO/5/Add.2, paras. 41–42; and CED/C/URY/CO/1/Add.1, para. 5.
[60] CAT/C/URY/CO/3, para. 16; and CCPR/C/URY/CO/5, para. 19. See also CEDAW/C/URY/CO/8-9, para. 21.
[61] CAT/C/URY/CO/3, para. 16. See also CAT/C/URY/QPR/4, para. 24.
[62] CCPR/C/URY/CO/5/Add.1, para. 17; and CCPR/C/URY/CO/5/Add.2, paras. 43–44.
[63] United Nations country team submission, para. 61. See also https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=23078.
[64] Press release of 27 October 2017.
[65] United Nations country team submission, para. 59.
[66] Ibid., para. 62.
[67] Press release of 27 October 2017. See also CAT/C/URY/CO/3, para. 12; CCPR/C/URY/CO/5, para. 20; and CRC/C/URY/CO/3-5, para. 72 (c).
[68] United Nations country team submission, para. 50.
[69] CRC/C/URY/CO/3-5, para. 70.
[70] Ibid., para. 72 (d). See also CCPR/C/URY/CO/5, para. 20.
[71] CAT/C/URY/CO/3, para. 10. See also CCPR/C/URY/CO/5, para. 9.
[72] CAT/C/URY/CO/3, para. 10 (b)–(c). See also CCPR/C/URY/CO/5, para. 9 (b)–(c); CAT/C/URY/CO/3, para. 12 (c); CRC/C/URY/CO/3-5, para. 72 (b); CCPR/C/URY/CO/5/Add.2, para. 26; CCPR/C/URY/CO/5/Add.1, para. 14; CED/C/URY/CO/1/Add.1, para. 7; and the press release of 27 October 2017.
[73] United Nations country team submission, para. 48.
[74] Ibid., para. 49.
[75] Ibid.
[76] For relevant recommendations, see A/HRC/26/7, paras. 123.41, 123.151, 123.153–123.154 and 123.156.
[77] United Nations country team submission, para. 63.
[78] For relevant recommendations, see A/HRC/26/7, paras. 123.117–123.118, 123.121, 123.123–123.126, 123.128–123.130, 123.132 and 123.142.
[79] CEDAW/C/URY/CO/8-9, para. 23 (a).
[80] CAT/C/URY/CO/3, para. 22. See also CCPR/C/URY/CO/5, para. 16; CMW/C/URY/CO/1, para. 45; and CEDAW/C/URY/CO/8-9, paras. 4 (l) and 6 (c).
[81] CMW/C/URY/CO/1, para. 45. See also United Nations country team submission, para. 45; and www.ilo.org/dyn/normlex/en/f?p=1000:13101:0::NO:13101:P13101_COMMENT_ID:3316205.
[82] United Nations country team submission, para. 43.
[83] Ibid., para. 44.
[84] CMW/C/URY/CO/1, para. 46. See also CEDAW/C/URY/CO/8-9, para. 24 (a)–(b); CAT/C/URY/CO/3, para. 22 (a); CCPR/C/URY/CO/5, para. 16 (a)–(c); and CAT/C/URY/QPR/4, para. 8.
[85] United Nations country team submission, para. 44.
[86] UNHCR submission for the universal periodic review of Uruguay, pp. 2–3.
[87] Ibid.
[88] For relevant recommendations, see A/HRC/26/7, paras. 123.2 and 123.4–123.7.
[89] E/C.12/URY/CO/5, para. 17; CCPR/C/URY/CO/5, para. 10; CEDAW/C/URY/CO/8-9, paras. 33 (a) and 37 (a); and CRPD/C/URY/CO/1, para. 57.
[90] E/C.12/URY/CO/5, para. 18. See also CCPR/C/URY/CO/5, para. 10.
[91] E/C.12/URY/CO/5, para. 24 (a); CCPR/C/URY/CO/5, para. 10; and CEDAW/C/URY/CO/8-9, para. 33 (b).
[92] CEDAW/C/URY/CO/8-9, para. 33 (a). See also para. 37 (a); and CCPR/C/URY/CO/5, para. 10.
[93] E/C.12/URY/CO/5, para. 21.
[94] Ibid., para. 23.
[95] CEDAW/C/URY/CO/8-9, para. 33 (c). See also United Nations country team submission, para. 40.
[96] CERD/C/URY/CO/21-23, para. 25.
[97] CMW/C/URY/CO/1, para. 24 (a). See also CERD/C/URY/CO/21-23, para. 26 (c); and CEDAW/C/URY/CO/8-9, para. 34 (c).
[98] United Nations country team submission, para. 14.

[99] See www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3289261.
[100] E/C.12/URY/CO/5, paras. 28–29.
[101] For relevant recommendations, see A/HRC/26/7, paras. 123.2, 123.113 and 123.172.
[102] E/C.12/URY/CO/5, para. 30.
[103] Ibid., para. 31. See also, para. 22.
[104] CEDAW/C/URY/CO/8-9, para. 34 (d).
[105] United Nations country team submission, para. 66.
[106] For relevant recommendations, see A/HRC/26/7, paras. 123.39, 123.161–123.166, 123.169 and 123.171–123.175.
[107] E/C.12/URY/CO/5, para. 34.
[108] Ibid. and CRC/C/URY/CO/3-5, para. 55.
[109] CRPD/C/URY/CO/1, para. 59. See also CERD/C/URY/CO/21-23, para. 26 (c); and CMW/C/URY/CO/1, para. 24 (a).
[110] United Nations country team submission, para. 1.
[111] E/C.12/URY/CO/5, para. 35. See also CRC/C/URY/CO/3-5, para. 56.
[112] United Nations country team submission, para. 67.
[113] E/C.12/URY/CO/5, para. 43.
[114] Ibid., para. 42.
[115] Ibid., para. 45.
[116] For relevant recommendations, see A/HRC/26/7, paras. 123.176 and 123.178.
[117] CRC/C/URY/CO/3-5, para. 45.
[118] Ibid., para. 46.
[119] E/C.12/URY/CO/5, para. 40.
[120] CEDAW/C/URY/CO/8-9, para. 35.
[121] Ibid. and E/C.12/URY/CO/5, para. 50 (a) and (c). See also CRC/C/URY/CO/3-5, para. 49.
[122] CEDAW/C/URY/CO/8-9, para. 35; and E/C.12/URY/CO/5, para. 50 (b). See also E/C.12/URY/CO/5, para. 51 (a)–(b); CRC/C/URY/CO/3-5, para. 50 (b); and CEDAW/C/URY/CO/8-9, para. 36 (a)–(b).
[123] Press release of 27 October 2017.
[124] CEDAW/C/URY/CO/8-9, para. 36 (c); CRC/C/URY/CO/3-5, para. 50 (a); and UNESCO submission, para. 13. See also CEDAW/C/URY/CO/8-9, para. 32 (d); and CRC/C/URY/CO/3-5, para. 50 (c).
[125] CRPD/C/URY/CO/1, para. 54.
[126] E/C.12/URY/CO/5, para. 54 (b).
[127] Ibid., para. 47.
[128] For relevant recommendations, see A/HRC/26/7, paras. 123.177, 123.179, 123.181 and 123.183–123.184.
[129] UNESCO submission, para. 1.
[130] E/C.12/URY/CO/5, para. 57; and CRC/C/URY/CO/3-5, para. 57. See also UNESCO submission, para. 9.
[131] E/C.12/URY/CO/5, para. 57; and CRC/C/URY/CO/3-5, para. 57. See also CERD/C/URY/CO/21-23, para. 20; CEDAW/C/URY/CO/8-9, para. 31 (a) and (e); and CERD/C/URY/CO/21-23/Add.1, paras. 22–28.
[132] UNESCO submission, paras. 11–15.
[133] Ibid., para. 12.
[134] CEDAW/C/URY/CO/8-9, para. 32 (a) and (c). See also para. 31 (a) and (c).
[135] UNESCO submission, para. 10. See also United Nations country team submission, para. 68.
[136] United Nations country team submission, para. 68. See also UNESCO submission, para. 10; the press release of 27 October 2017; and CRC/C/URY/CO/3-5, para. 58 (a)–(b) and (d).
[137] CRC/C/URY/CO/3-5, para. 58; and UNESCO submission, para. 9. See also UNESCO submission, p. 6; and United Nations country team submission, para. 69.
[138] UNESCO submission, para. 9. See also p. 6.
[139] A/HRC/36/24, para. 6.
[140] Ibid., para. 16.
[141] Ibid., para. 21.
[142] For relevant recommendations, see A/HRC/26/7, paras. 123.28, 123.45, 123.60–123.61, 123.63, 123.68–123.70, 123.96–123.100, 123.102–123.105, 123.119, 123.137 and 123.160.
[143] United Nations country team submission, para. 12.
[144] E/C.12/URY/CO/5, para. 15; and CEDAW/C/URY/CO/8-9, para. 17.
[145] E/C.12/URY/CO/5, para. 15; and CEDAW/C/URY/CO/8-9, para. 17 (a)–(b).
[146] CEDAW/C/URY/CO/8-9, paras. 11 (c) and 19 (b). See also UNESCO submission, para. 13.
[147] CAT/C/URY/CO/3, para. 20; and CCPR/C/URY/CO/5, para. 15. See also CEDAW/C/URY/CO/8-9, para. 6 (e)–(f).
[148] CEDAW/C/URY/CO/8-9, paras. 6 (a) and 19.

[149] CAT/C/URY/CO/3, para. 20; and CEDAW/C/URY/CO/8-9, para. 19 (a). See also United Nations country team submission, paras. 3 and 16.
[150] CEDAW/C/URY/CO/8-9, para. 19 (a), (c) and (e).
[151] United Nations country team submission, para. 17.
[152] Press release of 27 October 2017.
[153] CEDAW/C/URY/CO/8-9, para. 20 (a); CCPR/C/URY/CO/5, para. 15; and E/C.12/URY/CO/5, para. 16 (c).
[154] CEDAW/C/URY/CO/8-9, para. 20 (c) and (e). See also CAT/C/URY/CO/3, para. 20; CCPR/C/URY/CO/5, para. 15; and CAT/C/URY/QPR/4, para. 7.
[155] CAT/C/URY/CO/3, para. 20. See also CAT/C/URY/QPR/4, para. 7; and CCPR/C/URY/CO/5, para. 15.
[156] United Nations country team submission, para. 19.
[157] CCPR/C/URY/CO/5, para. 10.
[158] CEDAW/C/URY/CO/8-9, para. 27; and CCPR/C/URY/CO/5, para. 10. See also CEDAW/C/URY/CO/8-9, para. 28 (b).
[159] United Nations country team submission, para. 23.
[160] For relevant recommendations, see A/HRC/26/7, paras. 123.31–123.32, 123.34–123.35, 123.64, 123.70, 123.108–123.116, 123.170 and 123.180.
[161] United Nations country team submission, para. 25.
[162] CRC/C/URY/CO/3-5, para. 21; and CEDAW/C/URY/CO/8-9, para. 45. See also United Nations country team submission, para. 29.
[163] CCPR/C/URY/CO/5, para. 11; CRC/C/URY/CO/3-5, paras. 6 and 22; and CEDAW/C/URY/CO/8-9, para. 46 (a).
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[165] Ibid., para. 28.
[166] CRC/C/URY/CO/3-5, paras. 31–32 (b) and (d).
[167] Ibid., para. 32 (a). See also CAT/C/URY/QPR/4, para. 32.
[168] CRC/C/URY/CO/3-5, para. 33. See also CRC/C/OPSC/URY/CO/1, para. 21; and United Nations country team submission, para. 30.
[169] CRC/C/URY/CO/3-5, para. 33. See also CRC/C/OPSC/URY/CO/1, para. 19.
[170] CRC/C/OPSC/URY/CO/1, para. 26.
[171] Ibid., para. 22 (a).
[172] Ibid., para. 24 (a).
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[174] E/C.12/URY/CO/5, para. 33; CCPR/C/URY/CO/5, para. 21; and CRC/C/URY/CO/3-5, paras. 65 and 66 (a) and (c)–(d). See also E/C.12/URY/CO/5, para. 32; and www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3292674:NO.
[175] CCPR/C/URY/CO/5, para. 21; and CRC/C/URY/CO/3-5, paras. 24 (b) and 68 (a).
[176] CRC/C/URY/CO/3-5, para. 68 (c).
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[178] United Nations country team submission, para. 27.
[179] CRC/C/OPAC/URY/CO/1, para. 17.
[180] For relevant recommendations, see A/HRC/26/7, paras. 123.185–123.186.
[181] CRPD/C/URY/CO/1, para. 19. See also CRC/C/URY/CO/3-5, paras. 23 and 43; and UNESCO submission, para. 14.
[182] CRPD/C/URY/CO/1, paras. 6 and 20.
[183] Ibid., para. 10. See also CRPD/C/URY/CO/1, para. 19; and CRC/C/URY/CO/3-5, para. 44.
[184] UNESCO submission, para. 14.
[185] CRPD/C/URY/CO/1, para. 26.
[186] Ibid., para. 50.
[187] Ibid., para. 36. See also para. 35; and CRPD/C/URY/CO/1, para. 17.
[188] United Nations country team submission, para. 37.
[189] CRPD/C/URY/CO/1, paras. 21–22.
[190] Ibid., para. 48.
[191] United Nations country team submission, para. 20.
[192] CRPD/C/URY/CO/1, para. 40.
[193] E/C.12/URY/CO/5, para. 20 (a)–(b).
[194] United Nations country team submission, para. 33.
[195] UNESCO submission, para. 14. See also E/C.12/URY/CO/5, paras. 57–58; CRPD/C/URY/CO/1, para. 51; and CRC/C/URY/CO/3-5, para. 43.
[196] CRPD/C/URY/CO/1, para. 52; and CRC/C/URY/CO/3-5, para. 44 (a)–(c).
[197] United Nations country team submission, para. 34.
[198] UNESCO submission, para. 14. See also p. 7.

[199] CRPD/C/URY/CO/1, paras. 61–62.
[200] For the relevant recommendation, see A/HRC/26/7, para. 123.38.
[201] E/C.12/URY/CO/5, para. 60. See also E/C.12/URY/CO/5, para. 59.
[202] CERD/C/URY/CO/21-23, paras. 22–23 (a)–(b).
[203] Ibid., para. 18.
[204] Ibid., para. 19. See also CERD/C/URY/CO/21-23/Add.1, paras. 18–21.
[205] CMW/C/URY/CO/1, para. 5.
[206] UNHCR submission, p. 5.
[207] United Nations country team submission, para. 41.
[208] E/C.12/URY/CO/5, para. 14; CERD/C/URY/CO/21-23, para. 32; and CMW/C/URY/CO/1, para. 20 (b)–(c).
[209] E/C.12/URY/CO/5, para. 26. See also CERD/C/URY/CO/21-23, paras. 31–32; E/C.12/URY/CO/5, para. 26; and CMW/C/URY/CO/1, para. 23.
[210] CRC/C/URY/CO/3-5, paras. 63–64. See also CMW/C/URY/CO/1, para. 48.
[211] CMW/C/URY/CO/1, para. 43; and E/C.12/URY/CO/5, para. 36.
[212] E/C.12/URY/CO/5, para. 37.
[213] UNHCR submission, p. 1. See also p. 3.
[214] Ibid., p. 3.
[215] Ibid., p. 4. See also p. 5.
[216] Ibid., p. 5.
[217] CAT/C/URY/CO/3, para. 18 (b); and CEDAW/C/URY/CO/8-9, para. 40. See also CAT/C/URY/QPR/4, paras. 9–11.
[218] CRC/C/OPAC/URY/CO/1, para. 21.
[219] UNHCR submission, p. 2.
[220] Ibid., p. 4.
[221] CEDAW/C/URY/CO/8-9, para. 30.
[222] UNHCR submission, p. 4.

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Summary of Stakeholders' submissions on Uruguay*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 19 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles

2. The Institución Nacional de Derechos Humanos y Defensoría del Pueblo de Uruguay (INDDHH) (Uruguayan National Human Rights Institute and Ombudsman's Office) said that, with respect to Act No. 19.553 on Irrigation for Agricultural Purposes, there was a need to ensure the participation of civil society in the planning, management and monitoring of water resources, the protection of sources of drinking water, the inclusion of environmental evaluations and environmental monitoring strategies, to make provision for the settlement of disputes, establish effective penalties, prevent financial speculation based on water resources and ensure environmental safeguards, including the quality, quantity and availability of drinking water.[2]

3. INDDHH referred to the entry into force in 2017 of the new Code of Criminal Procedure, but mentioned a planned reform that changed the new Code's structure of protective rules and broadened the degree of police discretion in the initial moments of arrest and in the investigation undertaken to determine whether any offences had been committed. If approved, such a reform would have a negative effect on safeguards at the time of arrest, the right to liberty, the presumption of innocence and the degree of discretion required for judicial purposes.[3]

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4. INDDHH recalled that the last reform of the Code on Children and Adolescents stiffened the penalties imposed on adolescents in a regressive move which goes against the recommendations of international organizations, [4] the most serious change being the increase in the duration of precautionary measures from 90 to 150 days.[5]

5. INDDHH said that the deprivation of liberty among adolescents in centres managed by the National Institute for the Social Inclusion of Adolescents produced a punitive control effect.[6] It stressed that, despite some improvements, incarceration conditions amounted to cruel, inhuman and degrading treatment.[7] It referred to compulsive internment practices,[8] an insufficient educational offer and the frequent invoking of security needs for postponing or doing away with educational, recreational and social activities.[9] It considered that a revision of the system of juvenile justice and the development of a plan of action based on human rights were unavoidable.[10] It urged Uruguay to change its legislation, to give priority to non-custodial measures and to develop an institutional project emphasizing educational aspects.[11]

6. INDDHH reported the approval of the Comprehensive Act to Guarantee Women a Life Free of Gender-based Violence (2017), [12] but drew attention to the difficulties encountered in its application[13] and the concern regarding the resources that would be provided to its central bodies.[14] The constant manifestations of gender violence underline the need for greater efforts to implement the full scope of the law.[15]

7. INDDHH drew attention to the continuing infringement of the rights of persons with disabilities.[16] A number of centres ran supervisory systems that did not recognize persons with disabilities as subjects of law and revealed a lack of qualifications among the personnel caring for such people.[17] The staff in such centres were found to engage in sexual abuse of residents and infringements of their rights to intimacy and physical integrity which led to sanctions. [18] It is essential to be more watchful and to offer guarantees against institutional violence towards persons with disabilities in 24-hour protection centres.[19] It also called for the introduction of a supervisory mechanism in line with the Paris Principles.[20] It reported that work had started with civil society and the Executive Branch on a proposal for a supervisory mechanism linked to the Convention on the Rights of Persons with Disabilities, which would operate through INDDHH, although that would entail providing the latter with the necessary economic resources to undertake this new function.[21]

8. INDDHH said that a great deal still remained to be done to achieve the effective implementation of Act No. 19.122 on combating ethnic racial inequality.[22] The Act imposes participation quotas on the State, but concern arose at the difficulty of fulfilling the designated quota and the lack of training and planning in this area on the part of the State.[23]

9. INDDHH also expressed concern at the situation of migrants, especially those seeking asylum, who were especially vulnerable.[24] It considered that it was necessary to undertake concrete measures, especially regarding housing requirements during the first days of entry into the country.[25] It also drew attention to discrimination based on national origin and the economic means of migrants, which had proved an obstacle to the effective enjoyment of their rights.[26] It mentioned how difficult it was for the migrant population to obtain Uruguayan documents, pointing out that the effective enjoyment of the rights to health, employment and education, amongst others, was strongly dependent on having documents that were in order.[27]

III. Information provided by other stakeholders

A. Scope of international obligations[28] and cooperation with international human rights mechanisms and bodies[29]

10. Referring to previous UPR recommendations, [30] the International Human Rights Clinic of the University of Oklahoma College of Law (IHRC-OU) stated that Uruguay had not taken steps to ratify ILO Convention No. 169 concerning Indigenous and Tribal Peoples

in Independent Countries.[31] The National Council of the Charrúa Nation (CONACHA) recommended ratifying the Convention.[32]

11. International Campaign to Abolish Nuclear Weapons (ICAN) recommended ratifying the UN Treaty on the Prohibition of Nuclear Weapons.[33]

B. National human rights framework[34]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination[35]

12. Amnesty International (AI) stressed that despite accepting a recommendation to "prevent and protect against all forms of discrimination, violence and harassment related to sexual and gender identity",[36] no significant action has been taken.[37]

13. Joint Submission 1 (JS1) said that significant progress had been achieved in terms of protecting the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people[38], who despite current legislation suffered discrimination on account of their gender identity, their sexual orientation, their gender expression and/or sexual characteristics.[39] Transgender persons in particular, despite legislative advances regarding their identity, lived in a situation of marginality.[40] It recommended that Uruguay should undertake public policies that tackled discrimination towards LGBTI people efficiently and effectively, including through the extension of such offences to the area of civil proceedings.[41]

14. JS1 recommended formulating a National Plan against Discrimination.[42] AI recommended developing a National Plan against Racism and Discrimination that includes actions to prevent and protect against discrimination based on sexual orientation, gender identity and sex characteristics.[43]

15. The Migrant Support Network expressed the need to centralize reports of discrimination with a support and monitoring body in order to build up a picture of racial discrimination and xenophobia.[44]

Development, the environment, and business and human rights[45]

16. The Asociación Civil Cieenpre Juntos (Cieenpre Juntos) (Cieenpre Juntos Civil Association) recommended promoting projects for the improvement and recovery of the environment.[46]

17. The Project on Organizing, Development, Education and Research (PODER) recommended that Uruguay should concentrate on the needs of businesses and human rights;[47] strengthen the human rights policies of state and parastatal businesses and those subject to government participation or control;[48] prevent human rights violations perpetrated abroad by firms domiciled on its territory;[49] and contribute to the development of an international treaty which would be binding on transnational and other companies.[50]

2. Civil and political rights

Right to life, liberty and security of person[51]

18. JS1 referred to the violence against LGBTI persons and its high level of sadism and cruelty.[52] Owing to the lack of a law penalizing all forms of discrimination,[53] in cases of violence against LGBTI persons it is only possible to invoke criminal law offences such as inciting or perpetrating hate crimes, while judges often fail to apply criminal law, so that such offences mostly remain unpunished.[54] AI highlighted that there has been no progress in the investigation of the murders of four transgender women committed in 2012.[55] It recommended approving the Comprehensive Law for Trans Persons, fully investigating the above-mentioned four homicides and bringing those responsible to justice, and establishing

a monitoring mechanism for acts of violence towards LGBTI persons.[56] JS1 recommended preventing, combating and penalizing violence towards LGBTI persons and protecting their health and physical integrity, especially in the case of trans women.[57]

19. AI expressed concern about overcrowding in some prisons.[58] According to an official report, in 30 per cent of prisons the levels of violence and non-compliance with minimum standards might constitute cruel, inhuman or degrading treatment.[59] It recommended further efforts to reduce prisons' overcrowding, address the poor living conditions and ensure rehabilitation and integration opportunities.[60]

20. The Inter-American Commission on Human Rights-Organization of American States (IACHR-OAS) in 2015 condemned the acts of violence committed by public officials of the Uruguayan Institute of Children and Adolescents against adolescents deprived of liberty and called for continuing the policy of investigating, punishing those responsible and preventing other similar acts.[61]

Administration of justice, including impunity, and the rule of law[62]

21. On accepted recommendations to cooperate with the investigations into crimes under international law and serious human rights violations,[63] AI stated that truth, justice and reparation for victims of crimes committed under the civil-military government between 1973 and 1985 have not yet been achieved.[64] IACHR-OAS said that many obstacles remained in the struggle against impunity.[65] It joined with other organizations in commenting on the little progress achieved in the trials conducted for the serious human rights violations perpetrated during the civil-military dictatorship.[66] The Asociación civil de ex presas y ex presos políticos de Uruguay (Crysol) (civil association of former political prisoners of Uruguay) referred to a risk of impunity related to serious human rights violations.[67] Cieenpre Juntos also said that the crimes of the dictatorship were not recognized as crimes against humanity, that the search for disappeared persons had been interrupted for a long time and that very few complaints had ever produced results.[68] It recommended investigating and searching for the victims of the dictatorship's enforced disappearances, and that the judiciary should recognize such investigations, crimes and enforced disappearances as imprescriptible crimes against humanity.[69]

22. Crysol reported that, in 2013, the Supreme Court of Justice deemed unconstitutional certain articles that considered the grave human rights violations of the dictatorship period subject neither to limitation nor to amnesty (resolution No. 20/2013).[70] AI said that in 2017, the Supreme Court of Justice, in contravention of international law, issued Judgments 680/2017 and 1925/2017 establishing once again a statute of limitations for crimes against humanity committed by State officials during the civil-military government.[71] According to Crysol, all subsequent cases submitted to the Court invoked judgment No. 680/2017 in order to close judicial investigations.[72] AI said that, according to IACHR-OAS, the Supreme Court of Justice decision declaring unconstitutional the inapplicability of the statute of limitations for crimes against humanity perpetrated during the dictatorship run counter international human rights obligations and inter-American standards.[73]

23. AI recommended that Uruguay abolish the Amnesty Law (1986) and bring to justice those suspected of criminal responsibility for crimes under international law, including crimes against humanity; ensure that amnesties, statutory limitations, principles of non-retroactivity of criminal law and other similar measures are not applied to crimes under international law, including crimes against humanity and past human rights violations; and fully comply with the Inter-American Court of Human Rights' judgment in the case *Gelman v. Uruguay* (2011).[74]

24. IACHR-OAS in 2017 condemned all death threats against authorities, judicial officials and human rights defenders who played any part in the judicial proceedings that concerned serious human rights violations perpetrated during the military dictatorship.[75] It urged Uruguay to take steps to ensure the safety of judicial officials.[76] IACHR-OAS granted precautionary measures in favour of a threatened person.[77] AI raised a similar concern.[78]

25. Crysol drew attention to shortcomings in the laws on compensation for victims, pointing out that they did not cover all victims such as persons deprived of liberty or those brought before military courts.[79]

26. Joint Submission 4 (JS4) said that the mechanisms for incorporating gender and human rights perspectives in judicial decisions were weak and that discriminatory practices devoid of any human rights perspective still persisted.[80] It recommended that Uruguay should incorporate human rights-based gender, race and ethnic perspectives in the administration of justice; jointly with other State bodies ensure that decisions adopted for the protection of women, girls and adolescents were effective; systematize the case law it invokes and effectively implement international and national human rights norms.[81]

27. Defence for Children International (DNI) reported that in 2017 the new Code of Criminal Procedure entered into effect, bringing with it improved guarantees of due process and respect for human rights.[82] Colectivo Catalejo (Catalejo) said that the initiative opposing the reform of the new Code of Criminal Procedure, approved in the Senate in 2018, put at risk the principles established in the new code.[83] For example, article 6 establishes mandatory pre-trial detention for repeat offenders in cases of aggravated theft, drugs and indecent assault with violence, which tends to generalize pretrial detention and makes it mandatory.[84]

28. Joint Submission 3 (JS3) referred to the implications of the modification of the Code of Criminal Procedure for adolescents in conflict with the law,[85] which had affected the Code on Children and Adolescents.[86] One of the modifications implied that adolescents accused of attempted robbery with violence should be deprived of liberty until they had been judged.[87] That went against a 2014 EPU recommendation.[88] DNI commented that such a situation marked a step back in terms of the rights of children and adolescents.[89]

29. JS3 welcomed the creation of the Instituto Nacional de Inclusión Social Adolescente (National Institute for the Social Integration of Adolescents) to manage socio-educational measures to assist adolescents in conflict with the law.[90] It welcomed efforts to ensure that the practices of the juvenile criminal system were in line with current legislation.[91] Nevertheless, Uruguay was the Latin American country with the greatest number of adolescents deprived of liberty in relation to its population.[92] AI asserted that according to the National Preventive Mechanism, of the 621 people aged 13 to 17 years institutionalized in Uruguay as of December 2016, 76 per cent were in institutional confinement.[93]

30. DNI considered that the lack of non-custodial socio-educational measures and the failure to apply restorative justice were the reason why in the case of adolescents the deprivation of liberty was always the first measure applied.[94] AI recommended reducing the application of the deprivation of liberty in the juvenile penal system.[95] JS3 recommended that Uruguay eliminate deprivation of liberty or, if it could not be avoided, cut it down to the shortest possible duration, and where it really was inevitable invest resources to protect the rights of adolescents.[96] DNI recommended revising criminal legislation concerning adolescents.[97]

Fundamental freedoms and the right to participate in public and political life[98]

31. IACHR-OAS noted with concern the increase in 2017 of criminal complaints for defamation and insult against journalists by public officials who were allegedly affected by publications related to their duties. Stigmatizing statements by persons and public officials and against journalists and the media had also been recorded.[99]

32. Access Now mentioned that in 2017 the right to access public information suffered a legal setback due to an Executive Decree declaring that "any public official who makes public, divulges or discloses to third parties the documents referred to in this article, except in the cases provided for by law, shall incur a very serious offense". It said that the language was vague and could prevent public interest data from becoming public, which could restrict the access to information about public health and security, corruption and human rights violations.[100] It recommended Uruguay to refrain from adopting legislation similar to Executive 500/991, the broad language of which could be construed to impose liability on state whistle-blowers.[101]

33. Cieenpre Juntos recommended promoting Act No. 18.381 on "Access to Public Information" to ensure that any citizen could enjoy such access throughout the country.[102]

34. Access Now referred to the adoption of a "free software" law, outlining that the Government should use free or open source software unless a good justification exists.[103] Nevertheless, the surveillance software called "The Guardian" purchased by the Government did not comply with this regulation.[104] It recommended passing legislation protecting net neutrality; banning the Government mass surveillance; following rights-respecting procedures for procurement, maintenance and access to surveillance technology; and establishing civilian oversight and requiring independent judicial authorization for its use.[105]

35. Migrant Support Network said that, despite recommendations calling for voting rights for Uruguayans abroad,[106] efforts were still continuing to implement a suitable mechanism for exercising that right.[107] Cieenpre Juntos recommended adopting a law to interpret the Constitution so that Uruguayans living abroad could participate in the political life of the country.[108]

Prohibition of all forms of slavery[109]

36. Joint Submission 5 (JS5) said that the recommendations on the trade in persons were currently being implemented[110] or had been partially implemented.[111] It added that the Comprehensive Act on Trafficking in Persons was being considered in the Chamber of Deputies;[112] that there was no National Plan of Action;[113] that the programme for the protection of victims and witnesses was being implemented with difficulty and only during trials;[114] that the Inter-Agency Board did not have its own budget and was not considered as thematically relevant for public policy;[115] that the prosecution of persons involved in such offences was very rare;[116] and that little was still known of labour trafficking.[117]

37. JS5 recommended that Uruguay develop actions to create awareness of human trafficking; approve and implement a National Plan; provide resources to the Inter-Agency Board on Combating Human Trafficking; approve legislation clearly providing the necessary financing for its implementation; establish a policy for the restoration of victims' rights; and provide the necessary training to officials.[118]

38. Migrant Support Network said that efforts had been made to shed light on human trade and trafficking and to incorporate a gender perspective. In the Comprehensive Act against Gender Violence, one variant was trafficking for the purposes of sexual exploitation, although difficulties had been encountered in its implementation to ensure adequate care for victims.[119] It found considerable exploitation of sex workers.[120] It considered it was not easy to ensure adequate support for the victims of gender violence and especially trafficking on account of the insufficient means available.[121]

3. Economic, social and cultural rights

Right to an adequate standard of living[122]

39. JS3 said that the efforts made to achieve housing standards were inadequate, considering that there were still Uruguayan citizens who did not have access to decent housing.[123] It recommended increasing public expenditure on housing and ensuring access to housing for families not covered by housing plans and programmes.[124]

Right to health[125]

40. JS4 said that Act No. 18987 (2012) allowed the voluntary termination of pregnancy under certain conditions. However, the abusive resort to conscientious objection on the part of health professionals had led to a severe infringement of rights.[126] It recommended that Uruguay regulate the exercise of conscientious objection and ensure the timely removal of the women concerned from institutions where such abuse was practised.[127]

41. With regard to sexual and reproductive health, JS4 recommended training personnel in key areas such as pregnancies among adolescents and children, contraception, voluntary termination of pregnancy, sexual diversity and gender violence; and developing strategies

to create awareness of existing laws and available methods of contraception.[128] JS1 also recommended implementing throughout the public and private health systems a protocol of comprehensive and compulsory care for LGBTI persons in line with international standards; and prohibiting conversion therapies or any other practices that infringe the sexual and reproductive rights of all persons and LGBTI persons in particular.[129]

42. AI said that Law No. 19,529 on Mental Health (2017) did not comply with the recommendations of treaty bodies and the NHRI.[130] It recommended modifying this Law to establish an autonomous Human Rights Review Body on Mental Health and eliminate references to "persons with mental disorders"; providing an adequate budget for its effective implementation; and establishing a schedule for the permanent closure of mental asylums and psychiatric hospitals.[131] Joint Submission 2 (JS2) recommended ensuring that Act No. 19.529 and its implementing regulations should incorporate a human rights approach, as well as ensuring that the National Mental Health Care Oversight Commission proposed by that Act should be autonomous and independent.[132]

Right to education[133]

43. JS3 said that education had reached significant levels of entry and maintenance in the system, with the inclusion of the most vulnerable sectors of the population.[134] Nevertheless, despite recommendations regarding normal completion and school dropout,[135] no substantial changes has been made in that respect.[136] It recommended that Uruguay develop public policies in support of the factors allowing the development of children and adolescents as a strategy to ensure their timely completion of middle school education and avoid their departure from the system; increase the budgets for educational centres that catered for middle school students from the lowest socioeconomic background; and initiate programmes to readmit socially vulnerable adolescents to the educational system.[137]

44. IHRC-OU asserted that it was not clear the steps taken to protect from discrimination within the education system.[138] JS1 referred to the lack of coverage in the classroom of sexual education, especially in the areas of sexual diversity and gender.[139] It recommended ensuring a form of education that was free of discrimination and included full sexual education; and implementing policies to encourage public and private educational establishments to adopt anti-discriminatory measures to prevent any sort of harassment or intimidation against LGBTI persons.[140] JS4 recommended giving effective coverage to sexual and reproductive education in primary and secondary schools that took account of human rights, gender, sexual identity, sexual orientation and racial/ethnic factors.[141]

45. Cieenpre Juntos recommended undertaking the establishment of the University of Education to provide comprehensive training to teachers at the three levels of education, focusing their training on the principle of professional autonomy.[142]

46. JS4 recommended ensuring that education was secular.[143]

47. ADF International recommended that Uruguay respect the choices of parents concerning their children's education.[144]

4. Rights of specific persons or groups

Women[145]

48. JS4 said that Uruguay still had high numbers of women killed by their companions or former companions.[146] JS5 reported that between 1 January and 30 June 2018 the Public Security System (Ministry of the Interior) recorded 20.053 complaints of domestic violence and related offences, and that of the 26 femicides recorded between 1 January and November 2917, over 90 per cent were committed in the home.[147]

49. AI was concerned about the lack of measures to prevent and combat gender-based violence.[148] It stated that the persistent prejudices in judicial sentencing and the lack of follow up of victim reports by the police constituted an obstacle to the fight against all forms of gender-based violence.[149]

50. IACHR-OAS welcomed the approval of the Act qualifying femicide.[150] JS5 said that, although the promulgation of Act No. 19.580 on violence against women based on gender marked significant progress, disagreements had arisen regarding its content and difficulties with its implementation.[151] JS4 said that the legal advance was not backed by sufficient budgets, human resources or training, especially with regard to access to justice;[152] and that the Act would not have a positive impact if the necessary resources were not made available to justice, health and education operators.[153] It noted as areas of particular concern the training of State officials, especially in the health, justice and education sectors; the implementation of steps to modify discriminatory cultural standards; and resources for giving effect to the Act.[154] AI shared those concerns, including as regards the poor victim support services.[155]

51. JS5 recommended providing the necessary resources to put the law in practice.[156] JS4 recommended allocating a larger budget to the National Women's Institute and reviewing its position as a Ministry; allocating a budget to courts specialized in gender violence cases and training their officials; and strengthening the monitoring and evaluation of the implementation of the recommendations put forward by CEDAW, CERD, DESC and EPU.[157] AI recommended that Uruguay convene the National Advisory Council for a Life Free of Gender Violence against Women and the Observatory for Monitoring and Evaluation created by Law 19,580 and that it fully investigate gender-based violence and bring those responsible to justice.[158]

52. JS5 said that the recommendation to establish mechanisms charged with supervising the application of the protocols of governmental organizations [159] had not been implemented, which affected the protection of women and perpetuated bad practices.[160] It recommended developing mechanisms to supervise and monitor governmental and non-governmental practices.[161]

53. JS5 considered that the recommendations concerning measures of protection for the victims of domestic violence[162] had been only partially implemented since those that had been developed had proved inadequate.[163] It recommended strengthening protection mechanisms in order to avoid femicides and ensuring single entry to the protection network to avoid revictimization.[164]

54. Cieenpre Juntos drew attention to the shortage of shelters for victims of domestic and gender violence, as well as that of psychological and medical treatment.[165] It recommended providing them with shelter.[166]

Children[167]

55. JS3 said that violence against children and adolescents was a serious problem.[168] It recommended that Uruguay should provide information giving a picture of that sort of violence, and training all those working with children and adolescents, including those in the medical and judicial systems, in order to ensure that such violence did not give rise to more victimizations or unnecessary institutionalization.[169]

56. JS5 said that while the offence of sexual abuse[170] was made an offence in 2017, its detection was uncertain[171] and little publicized.[172] Difficulties with its detection and care were reported by the health system.[173] It referred to revictimization practices affecting children and adolescents[174]. It recommended setting up interdisciplinary and specialized care facilities; introducing complaint channels that were accessible, confidential and adapted to children and adolescents; and investigating the homicides of children and adolescents and bringing those responsible to justice.[175]

57. With regard to the commercial sexual exploitation of children and adolescents, JS5 recommended giving an official rank to the mechanisms in charge of public policy on commercial sexual exploitation; implementing services specializing in the care of victims; and strengthening the system of justice with technical teams specialized in victim support and training their members.[176]

Persons with disabilities[177]

58. Cieenpre Juntos recommended regulating Act No. 18.651 on Comprehensive Protection for Persons with Disabilities.[178] JS2 recommended aligning it with the Convention on the Rights of Persons with Disabilities.[179]

59. JS2 recommended that Uruguay should develop a statistical information system in order to formulate policies that protected the rights of persons with disabilities.[180]

60. JS2 said that persons with disabilities were exposed to discrimination and that stereotypes persisted.[181] It recommended altering legislation so as to ensure that the denial of reasonable adjustments constituted discrimination; eliminating pejorative language from national legislation; and setting up the National Disability Institute, providing it with sufficient resources to implement public policies.[182]

61. JS2 said that persons with disabilities experienced difficulty obtaining education that developed their full potential and facilitated their entry to the labour market.[183]

62. JS2 said that the approval in 2017 of the Protocol of Action for the Admission of Persons with Disabilities in Education Centres was incomplete, as it still needed concrete definitions for its implementation, training for those who would be applying it and controller mechanisms.[184] Inclusive education for persons with disabilities was scarce and limited.[185] It recommended ensuring access to education for all persons with disabilities and their active participation in educational progress and establishing complaint mechanisms for situations of discrimination.[186]

63. JS2 said that access for persons with disabilities to transport, the physical environment, information and public communication was hard to come by, particularly in the interior of the country.[187] Cieenpre Juntos also referred to the lack of training of teachers in the Braille system and Uruguayan sign language.[188]

64. JS2 recommended that personal assistance services for persons with disabilities should aim to ensure their rights to an independent life and to have their place in the community.[189] It recommended speeding up the implementation of the National Plan of Access to Justice and Legal Protection for Persons with Disabilities.[190]

65. JS2 recommended that Uruguay should apply the quota of 4 per cent recruitment for persons with disabilities in the public sector and penalize organizations that failed to comply.[191] It recommended approving the Labour Inclusion for Persons with Disabilities Act for the private sector.[192]

Minorities and indigenous peoples[193]

66. CONACHA reported that there were no indigenous representatives in the Secretariat for Ethnic, Racial and Migrant Populations Affairs in the Departmental Council of Montevideo set up in 2016.[194] It recommended establishing a secretariat for indigenous affairs.[195]

67. CONACHA said that no steps had been taken to combat stereotypes, despite the EPU recommendation.[196] IHRC-OU stated that Uruguay has not taken steps to provide greater protection for indigenous peoples[197] and that due to lack of funding, the appointment of a member of the National Charrúa Council as honorary councillor for indigenous matters was at risk to disappear.[198]

68. IHRC-OU underscored that the lands, traditionally occupied by indigenous communities, have not been identified or designated as ancestral lands.[199]

69. IHRC-OU recommended that Uruguay combat stereotypes of persons of indigenous origin; create an environment in which they can preserve and give expression to their identity, history, culture, traditions and customs; recognize their collective rights; and include them in governmental affairs.[200]

70. CONACHA said that the State had not recognized its responsibility in the genocide of the Charrúa population.[201] It recommended recognizing the pre-existence and current existence of indigenous peoples, as well as the genocide of the Charrúa people.[202] IHRC-

OU recommended promoting a better understanding of how society deals with a past of genocide and how nations devastated by such crimes may overcome conflict. [203]

71. CONACHA referred to the critical situation of indigenous adolescent youths. Less than 5 per cent completed secondary schooling and no action had been taken to reduce the dropout rate. [204]

Migrants, refugees, asylum seekers and internally displaced persons

72. AI referred to unrealistic requirements for entry visa approval[205] and stated that there were no plans, protocols or processes to form an adequate migration and refugee policy and, as a result, the institutional response was not articulated, both with regard to regular and irregular migration. [206] Migrant Support Network considered that the imposition of visas to enter Uruguay infringed the right to migrate, endangered transit and destination and was an obstacle to family reunification. [207]

73. AI recommended that Uruguay prepare an action plan to comply with the Framework Document on Migration Policy; grant a specific budget to migration and refugee policies to ensure fair and efficient processing of asylum and residence requests; and review the requirements for entry visa approval to prevent unsafe migration and to facilitate family reunification. [208] Migrant Support Network recommended trying to make progress with the construction of a migration agenda.[209]

74. Migrant Support Network highlighted as the main labour problems the difficulty in accessing employment without documentation, informality and over-qualification, factors which were aggravated in the case of migrant women.[210]

75. Migrant Support Network considered that the lack of a housing solution for recently arrived immigrants in a vulnerable situation should be given priority.[211]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a national human rights institution with "A" status).

Civil society

Individual submissions:

Access Now	Access Now (United States of America);
ADF International	ADF International (Switzerland);
AI	Amnesty International (AI) (United Kingdom of Great Britain and Northern Ireland);
Catalejo	Colectivo Catalejo (Uruguay);
Cieenpre Juntos	Asociación Civil Cieenpre Juntos (CIEENPRE) (Uruguay);
CONACHA	Consejo de la Nación Charrúa (CO.NA.CHA.) (Uruguay);
Crysol	Asociación civil de ex presas y ex presos políticos de Uruguay (CRYSOL) (Uruguay);
DNI	Defensa de los Niños Internacional (DNI)-Sección Uruguay (Uruguay);
ICAN	International Campaign to Abolish Nuclear Weapons (ICAN) (Switzerland);
IHRC-OU	International Human Rights Clinic of the University of Oklahoma College of Law (IHRC-OU) (United States of America);
PODER	Proyecto sobre Organización, Desarrollo, Educación e Investigación (PODER) (México);
Red de Apoyo al Migrante	Red de Apoyo al Migrante (Uruguay).

Joint submissions:

JS1	**Joint submission 1 submitted by**: Colectivo Ovejas Negras y la Iniciativa por los Derechos Sexuales (Uruguay);
JS2	**Joint submission 2 submitted by**: Alianza de Organizaciones por los Derechos de las Personas con Discapacidad en Uruguay (Asamblea Instituyente por Salud Mental, Desmanicomialización y Vida digna;

Asociación de Esclerosis Múltiple de Uruguay — EMUR; Asociación de Padres y Amigos de Sordos del Uruguay — APASU; Asociación de Sordos del Uruguay — ASUR (JUVESUR); Asociación de Usuarios de Montevideo e Interior de la República (ASUMIR); CENTEA Uruguay; Centro de Capacitación Humanizadora — CECAHU; Centro de Archivos y Acceso a la Información Pública — CAinfo; Centro de Investigación, Educación y Encuentro Popular Rebellato (CIEENPRE JUNTOS); Centro de Investigación y Desarrollo para la Persona Sorda - CINDE; Cotidiano Mujer; Federación Autismo Uruguay - FAU; Federación Uruguaya Asociaciones de Padres de Personas con Discapacidad Intelectual — FUAP; Fundación Bensadoun Laurent; Fundación Alejandra Forlán; Grupo de Trabajo sobre Educación Inclusiva en Uruguay - GT-EI; Instituto Interamericano sobre Discapacidad y Desarrollo Inclusivo - iiDi; Juntos por un sueño — Comisión de Apoyo a personas con Discapacidad de Ciudad de la Costa; Movimiento Estamos Todos En Acción — M.E.T.A — Uruguay; Nacer, Crecer, Vivir — NACREVI; Observatorio Uruguayo por los Derechos de las Personas con Discapacidad; ProEdu Educación Inclusiva de Calidad; Unión Nacional de Ciegos de Uruguay — UNCU (Uruguay);

JS3 **Joint submission 3 submitted by**: Edmund Rice International (ERI), Fundación Marista para la Solidaridad International (FMSI), Defensoría Edmundo Rice, Asociación Civil OBSUR and Centro Educativo Los Tréboles (Switzerland and Uruguay);

JS4 **Joint submission 4 submitted by**: Coalición de Organizaciones para el seguimiento del cumplimiento de las Recomendaciones (Comité de América Latina y el Caribe para la Defensa de los Derechos Humanos de las Mujeres (CLADEM), Colectiva Mujeres e Iniciativas Sanitarias) (Uruguay);

JS5 **Joint submission 5 submitted by**: Asociación Civil El Paso (ACEP) y Red Uruguaya contra la Violencia Doméstica y Sexual (RUCVDS) (Uruguay).

National human rights institution:

INDDHH Institución Nacional de Derechos Humanos y Defensoría del Pueblo*, Uruguay.

Regional intergovernmental organization(s):

IACHR-OAS Inter-American Commission on Human Rights-Organization of American States (IACHR-OAS) (United States of America).

[2] INDDHH, para. 17.
[3] INDDHH, para. 9.
[4] INDDHH, para. 10.
[5] INDDHH, para. 11.
[6] INDDHH, para. 33.
[7] INDDHH, para. 34.
[8] INDDHH, para. 34.
[9] INDDHH, para. 33.
[10] INDDHH, para. 35.
[11] INDDHH, para. 35.
[12] INDDHH, para. 12.
[13] INDDHH, para. 13.
[14] INDDHH, para. 14.
[15] INDDHH, para. 14.
[16] INDDHH, para. 21.
[17] INDDHH, para. 21.
[18] INDDHH, para. 22.
[19] INDDHH, paras. 22–23.
[20] INDDHH, para. 18.
[21] INDDHH, paras. 19–20.
[22] INDDHH, para. 29. See also INDDHH, para. 27.
[23] INDDHH, para. 29.
[24] INDDHH, para. 24.
[25] INDDHH, para. 25.
[26] INDDHH, para. 26.
[27] INDDHH, para. 26.

[28] The following abbreviations are used in UPR documents:
OP-ICESCR Optional Protocol to ICESCR.
[29] For relevant recommendations, see A/HRC/26/7, paras. 123.1–123.8, 123.66, 123.73, 123.106 and 123.145.
[30] A/HRC/12/12, paras.78.3 and 78.4, and A/HRC/26/7, paras. 123.4, 123.5, 123.6 and 123.7.
[31] IHRC-OU, p. 2.
[32] CONACHA, para. 34. See also IHRC-OU, p. 2.
[33] ICAN, p. 1.
[34] For relevant recommendations, see A/HRC/26/7, paras. 123.10–123.27, 123.29–123.30, 123.33, 123.36–123.37, 123.42-123.44, 123.46, 123.56, 123.58, 123.65, 123.79, 123.120, 123.122, 123.127, 123.131, 123.139, 123.144, 123.155 and 123.182.
[35] For relevant recommendations, see A/HRC/26/7, paras. 123.47-123.55, 123.57, 123.59, 123.62, 123.152, 123.158 and123.159.
[36] A/HRC/26/7, para. 123.67.
[37] AI, p. 5.
[38] JS1, para. 1.
[39] JS1, para. 4.
[40] JS1, para. 17.
[41] JS1, paras. 8–9.
[42] JS1, para. 11.
[43] AI, p. 7.
[44] Red de apoyo al migrante, p. 4.
[45] For relevant recommendations, see A/HRC/26/7, paras. 123.167 and 123.187.
[46] Cieenpre Juntos, para. 30.
[47] PODER, para. 16.
[48] PODER, para. 16.
[49] PODER, para. 20.
[50] PODER, para. 21.
[51] For relevant recommendations, see A/HRC/26/7, paras.123.16, 123.67, 123.71, 123.72, 123.74, 123.76–123.78, 123.80, 123.82, 123.84, 123.85-123.87, 123.89–123.95, 123.101, 123.107 and 123.143.
[52] JS1, para. 16.
[53] JS1, para. 5.
[54] JS1, para. 7.
[55] AI, p. 5.
[56] AI, p. 7. See also JS1, para. 23.
[57] JS1, paras. 21–22.
[58] AI, p. 1.
[59] AI, p. 3.
[60] AI, p. 6.
[61] IACHR-OAS, p. 2.
[62] For relevant recommendations, see A/HRC/26/7, paras.123.9, 123.75, 123.81, 123.83, 123.86, 123.88, 123.133, 123.136, 123.138, 123.140, 123.141 and 123.146–123.150.
[63] A/HRC/26/7, paras. 123.71 and 123.143.
[64] AI, p. 1.
[65] IACHR-OAS, p. 11.
[66] IACHR-OAS, p. 11, Cieenpre Juntos, para. 25 and Crysol, paras. 6 and 8.
[67] Crysol, para. 13.
[68] Cieenpre Juntos, para. 25.
[69] Cieenpre Juntos, para. 26.
[70] Crysol, para. 12.
[71] AI, p. 1. See also Crysol, para. 14.
[72] Crysol, para. 14.
[73] AI, p. 2.
[74] AI, p. 6.
[75] IACHR-OAS, p. 2. See also IACHR-OAS, p. 11 and AI, p. 2.
[76] IACHR-OAS, p. 2.
[77] IACHR-OAS, p. 11. See also IACHR-OAS, p. 2.
[78] AI, p. 2.
[79] Crysol, paras. 15–16.
[80] JS4, para. 24.
[81] JS4, p. 9.

[82] DNI, p. 1. See also Catalejo, para. 1 and IACHR-OAS, p. 10. See also A/HRC/26/7, paras. 123.134–123.136 and 123.144.
[83] Catalejo, para. 3.
[84] Catalejo, paras. 3–4.
[85] JS3, para. 14. See also DNI, p. 1.
[86] JS3, para. 16.
[87] JS3, para. 15. See also DNI, p. 1.
[88] JS3, para. 17. See also A/HRC/26/7, para. 123.134.
[89] DNI, p. 1. See also JS3, para. 16.
[90] JS3, para. 9.
[91] JS3, para. 10.
[92] JS3, para. 12.
[93] AI, p. 3.
[94] DNI, p. 2.
[95] AI, p. 6.
[96] JS3, paras. 19–20.
[97] DNI, p. 2.
[98] For relevant recommendations, see A/HRC/26/7, paras. 123.41, 123.151, 123.153, 123.154 and 123.156.
[99] IACHR-OAS, p. 11.
[100] Access Now, para. 12.
[101] Access Now, para. 19.
[102] Cicenpre Juntos, para. 32.
[103] Access Now, para. 14.
[104] Access Now, paras. 13–14.
[105] Access Now, paras. 16–18.
[106] See A/HRC/26/7, paras. 123.151, 123.152 and 123.153.
[107] Red de Apoyo al Migrante, p. 2.
[108] Cicenpre Juntos, para. 28.
[109] For relevant recommendations, see A/HRC/26/7, paras. 123.117, 123.118, 123.121, 123.123–123.126, 123.128–123.130, 123.132 and 123.142.
[110] JS5, paras. 6–8. See also A/HRC/26/7, paras. 123.120–120.124 and 123.127.
[111] JS5, paras. 10–17. See also A/HRC/26/7, paras. 123.117–123.119, 123.125–123.126, 123.128–123.133, 123.137, 123.142 and 123.145.
[112] JS5, para. 8. See also Red de Apoyo al Migrante, p. 3.
[113] JS5, para. 9.
[114] JS5, para. 13.
[115] JS5, para. 15.
[116] JS5, para. 16.
[117] JS5, para. 17.
[118] JS5, para. 21. See also Red de Apoyo al Migrante, p. 3.
[119] Red de Apoyo al Migrante, p. 3.
[120] Red de Apoyo al Migrante, p. 4.
[121] Red de Apoyo al Migrante, p. 4.
[122] For relevant recommendations, see A/HRC/26/7, paras. 123.39, 123.161–123.166, 123.169 and 123.171–123.175.
[123] JS3, para. 27. See JS3, paras. 25–26.
[124] JS3, paras. 35–34.
[125] For relevant recommendations, see A/HRC/26/7, paras. 123.176 and 123.178.
[126] JS4, para. 17.
[127] JS4, p. 8.
[128] JS4, p. 5.
[129] JS1, paras. 33 and 36.
[130] AI, p. 4.
[131] AI, p. 6.
[132] JS2, para. 6.
[133] For relevant recommendations, see A/HRC/26/7, paras. 123.177, 123.179, 123.181, 123.183 and 123.184.
[134] JS3, para. 37.
[135] JS3, para. 39. See A/HRC/26/7, paras. 123.177, 123.179 and 123.181–123.183.
[136] JS3, para. 44.
[137] JS3, paras. 46–48.
[138] IHRC-OU, p. 4.

[139] JS1, para. 12.
[140] JS1, paras. 14–15.
[141] JS4, p. 8.
[142] Cieenpre Juntos, para. 16(ii).
[143] JS4, p. 8.
[144] ADF International, para. 13(a).
[145] For relevant recommendations, see A/HRC/26/7, paras. 123.28, 123.45, 123.60, 123.61, 123.63, 123.68–123.70, 123.96–123.100, 123.102–123.105, 123.119, 123.137 and 123.160.
[146] JS4, para. 30. See also AI, p. 5.
[147] JS5, paras. 45–46.
[148] AI, p. 5.
[149] AI, p. 5.
[150] IACHR-OAS, p. 2. See also AI, p. 2, JS4, para. 5 and JS5, para. 47. See also A/HRC/26/7, paras. 123.96, 123.100, 123.102 and 123.105.
[151] JS5, para. 48.
[152] JS4, para. 31.
[153] JS4, p. 28.
[154] JS4, para. 6. See also AI, p. 2.
[155] AI, p. 2.
[156] JS5, para. 53(a). See also AI, p. 6.
[157] JS4, p. 13.
[158] AI, p. 6.
[159] See A/HRC/26/7, para. 123.95.
[160] JS5, para. 52.
[161] JS5, para. 53(f).
[162] See A/HRC/26/7, paras. 123.90 and 123.92–123.94.
[163] JS5, para. 51.
[164] JS5, para. 53(b)(c).
[165] Cieenpre Juntos, para. 23.
[166] Cieenpre Juntos, para. 24.
[167] For relevant recommendations, see A/HRC/26/7, paras. 123.31, 123.32, 123.34, 123.35, 123.64, 123.70, 123.108–123.116, 123.170 and 123.180.
[168] JS3, para. 50.
[169] JS3, paras. 62–64.
[170] JS5, para. 24.
[171] JS5, para. 27.
[172] JS5, para. 28.
[173] JS5, para. 29.
[174] JS5, para. 32(b)(c)(d).
[175] JS5, para. 44(a) (c) (d).
[176] For relevant recommendations, see A/HRC/26/7, paras. 123.185 and 123.186.
[177] Cieenpre Juntos, para. 22. See also JS2, para. 38(i).
[178] JS2, para. 38(ii).
[179] JS2, para. 9.
[180] JS2, para. 2.
[181] JS2, para. 3(i)(iii)(iv).
[182] JS2, para. 11.
[183] JS2, para. 14.
[184] JS2, para. 12.
[185] JS2, para. 17(i)(ii).
[186] JS2, para. 18. See also Cieenpre Juntos, paras. 4–8.
[187] Cieenpre Juntos, para. 9.
[188] JS2, para. 36(iv).
[189] JS2, para. 32(i).
[190] JS2, para. 32(vii).
[191] For relevant recommendations, see A/HRC/26/7, para. 123.38.
[192] CONACHA, para. 15.
[193] CONACHA, para. 30.
[194] CONACHA, para. 31. See also A/HRC/26/7, para. 123.46.
[195] IHRC-OU, p. 1.
[196] IHRC-OU, p. 2.
[197] IHRC-OU, p. 5.
[198] IHRC-OU, pp. 2, 3 and 5.

[199] CONACHA, para. 30.
[200] CONACHA, paras. 35–36. See also IHRC-OU, p. 3.
[201] IHRC-OU, p. 6.
[202] CONACHA, para. 33.
[203] AI, p. 3.
[204] AI, p. 4.
[205] Red de Apoyo al Migrante, pp. 4–5.
[206] AI, p. 6.
[207] Red de Apoyo al Migrante, p. 5.
[208] Red de Apoyo al Migrante, p. 6.
[209] Red de Apoyo al Migrante, p. 6.
[210] Red de Apoyo al Migrante, p. 6.
[211] Red de Apoyo al Migrante, p. 6.